



# **INNOVATIONS IN THE CALIFORNIA COURTS**

**Shaping the Future of Justice**

JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS







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OF CALIFORNIA**

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ADMINISTRATIVE OFFICE  
OF THE COURTS

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# FOREWORD



Ronald M. George

*California's reputation as a leader in innovative approaches to justice is affirmed once again by the programs included in this volume, the third edition of Innovations in the California Courts.*

*The dynamic transformation of our state court system over the last decade is the result of fundamental structural changes in our branch that have enabled us to better perform our mission of providing fair and accessible justice to the people of California. But the transformation also has been shaped by many innovations at both the local and state levels. These are the programs we celebrate in the Innovations series and commend to other courts in California and around the nation as positive models.*

*This spirit of innovation is among our most treasured resources as we face unprecedented economic challenges. The fiscal crisis has affected government at all levels, and state court systems throughout the nation have been forced to make difficult decisions about court closures, furloughs, layoffs, and reductions in services. The California courts are also responding to severe budget reductions. Finding ways to minimize the impact of these and other reductions on the communities we serve is the challenge presented to each of us during this crisis.*



William C. Vickrey

*The first section of this online edition, "Creative Solutions to Pressing Problems," profiles the 2008–2009 recipients of the Ralph N. Kleps Award for Improvement in the Administration of the Courts. Established in 1991 in honor of the first Administrative Director of the Courts, this award recognizes courts that have implemented innovative programs that further the overarching goals of the Judicial Council's strategic plan, described in Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012:*

**Goal I: Access, Fairness, and Diversity**

**Goal II: Independence and Accountability**

**Goal III: Modernization of Management and Administration**

**Goal IV: Quality of Justice and Service to the Public**

**Goal V: Education for Branchwide Professional Excellence**

**Goal VI: Branchwide Infrastructure for Service Excellence**

*The programs highlighted here represent just a few of the ways courts are overcoming current challenges—whether by addressing underlying issues that affect families in crisis, reaching out to self-represented litigants in culturally competent ways, or using technology to foster versatility, consistency, and efficiency in court administration.*

*The second section, “Building a Modern Infrastructure,” presents examples of the ongoing transformation of the judicial branch from a confederation of individual courts with minimal statewide coordination to an effective, unified branch of government. Included here are some of our most ambitious and essential statewide infrastructure initiatives.*

*The final section, “Judicial Branch Integrity, Accountability, and Responsiveness to the Public,” presents examples of how the branch strives to be accountable to our justice system partners and communities as we assume greater responsibilities as an equal branch of state government.*

*We are pleased to congratulate the court leaders whose innovative programs are chronicled in this edition, and our thanks go to all those whose ongoing commitment is helping to improve access to justice for the people of California.*



Ronald M. George  
Chief Justice of California  
and Chair of the Judicial Council



William C. Vickrey  
Administrative Director of the Courts



# CREATIVE SOLUTIONS TO PRESSING PROBLEMS



Ronald B. Robie

*California courts are the most creative and innovative in the nation. This publication describes the continuing excellence of our courts' efforts, as exemplified by the 2008–2009 Kleps Award recipients.*

*Biennially, the Judicial Council honors California appellate and trial courts for their innovation in furthering the goals of the judicial branch's strategic plan for the courts. With their emphasis on access, fairness, diversity, quality of justice, and service to the public, these award recipients eloquently demonstrate how California courts are meeting the challenges of the 21st century.*

*Half of the new award recipients—the Superior Courts of Imperial, San Mateo, and Santa Clara Counties and the Second Appellate District of the Court of Appeal—are being recognized for the collaborative programs they have fashioned in order to serve litigants better. The other four recipients—the Superior Courts of Amador, Los Angeles, Contra Costa, and Monterey Counties—have tapped technology in creative ways to optimize scarce court resources.*

*The 18-member Kleps Award Committee, comprising justices, judges, and court administrators, carefully evaluates applicants and recommends awardees to the Judicial Council for approval. Since the first Kleps Award in 1991, dozens of projects that were on the cutting edge have become standard practices in our courts. One of the fundamental objectives of the awards is to replicate these new ideas in other courts around the state.*

*It is an honor for those of us on the committee to highlight these accomplishments.*

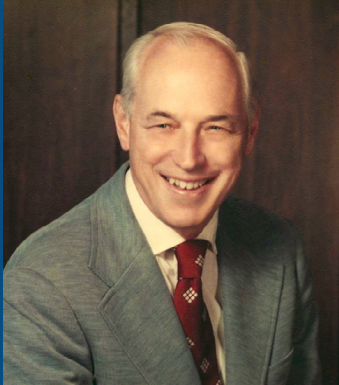
A handwritten signature in dark ink, reading "Ronald B. Robie". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ronald B. Robie  
Chair, Ralph N. Kleps Award Committee

# KLEPS AWARD RECIPIENTS

- **Superior Court of Imperial County**  
Binational Justice Project
- **Superior Court of San Mateo County**  
Multi-Option Appropriate Dispute Resolution Project
- **Superior Court of Santa Clara County**  
Giving Families a Chance: The Collaboration Between Family Court Services and FIRST 5
- **Court of Appeal, Second Appellate District**  
Appellate Self-Help Clinic
- **Superior Court of Amador County**  
Online Procedure Manual
- **Superior Court of Los Angeles County**  
Online Juror Orientation
- **Superior Court of Contra Costa County**  
Online Probable Cause
- **Superior Court of Monterey County**  
Self-Help Online Workshop Registration

# RALPH N. KLEPS AWARD HISTORY



*Created in 1991 in honor of Ralph N. Kleps, the first California Administrative Director of the Courts, the Ralph N. Kleps Award for Improvement in the Administration of the Courts recognizes and celebrates the contributions made by individual courts to judicial administration.*

*This is the 17th time the Judicial Council has bestowed the awards, which are given in three categories organized by the number of authorized judicial positions. A fourth category covers appellate court projects, and a fifth category covers collaborative projects.*

*Programs nominated for the awards are judged and scored on five criteria. Each program must:*

- Be a project of a California court—the court must be the driving force and project manager;*
- Further at least one of the six goals of the judicial branch’s strategic plan;*
- Be innovative, in other words, create or significantly enhance a concept, goal, or objective that improves the performance and practices of the court relative to its size, community, and available resources;*
- Have measurable results, outcomes, or benefits that demonstrate an impact on the court and the public it serves; and*
- Be replicable in other courts.*

*The Kleps Award Committee serves as the jury for the awards. Its members are a diverse group of court representatives, including members of the bench and court staff.*

*Nomination materials were made available to the courts in spring 2008. A total of 26 eligible nominations were received that fall. After reviewing the nominations, the full committee determined that 17 of them met the criteria outlined in the nomination materials.*

*Through the winter of 2008 and spring of 2009, committee members made site visits to all 17 applicants to see the programs in action and learn more from the program staff and judicial officers involved. Immediately after the site visit, committee members scored each program and submitted a consensus score and evaluation form to staff.*

*The full committee met in spring 2009 to evaluate all nominees relative to each other within their categories. Programs that most clearly met the nomination criteria were recommended to the Judicial Council, which approved them at its April 24, 2009, business meeting as the recipients of the 2008–2009 Ralph N. Kleps Award for Improvement in the Administration of the Courts.*



# 2008–2009 RALPH N. KLEPS AWARD COMMITTEE MEMBERS



**Hon. Ronald B. Robie, Chair**  
Associate Justice  
Court of Appeal  
Third Appellate District



**Ms. Marilyn K. James (Ret.)**  
Chief Evaluation and  
Planning Officer  
Superior Court of San Diego County



**Mr. José Guillén, Vice-Chair**  
Executive Officer  
Superior Court of Imperial County



**Mr. Kevin J. Lane**  
Assistant Clerk/Administrator  
Court of Appeal  
Fourth Appellate District  
Division One



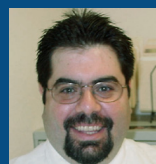
**Mr. James Brighton**  
Bureau Chief—Planning, Research,  
Public Information, and Court Services  
Superior Court of Alameda County



**Hon. Cynthia A. Ludvigsen**  
Judge  
Superior Court of San Bernardino County



**Ms. Tina M. Burkhart**  
Executive Officer  
Superior Court of Glenn County



**Mr. Lawrence Maligie**  
Director  
Information and Fiscal Services  
Superior Court of Butte County



**Mr. Alex Calvo**  
Executive Officer  
Superior Court of Santa Cruz County



**Hon. Henry E. Needham, Jr.**  
Associate Justice  
Court of Appeal  
First Appellate District  
Division Five



**Ms. Meri Fisher**  
Operations Analyst  
Superior Court of Orange County



**Hon. Robert H. Oliver**  
Judge  
Superior Court of Fresno County



**Ms. Rebecca Fleming**  
Chief Financial Officer  
Superior Court of Stanislaus County



**Hon. Donna M. Petre**  
Judge  
Superior Court of Yolo County



**Hon. Mary Thornton House**  
Judge  
Superior Court of Los Angeles County



**Ms. Sylvia White-Irby**  
Administrator  
Superior Court of Los Angeles County



**Mr. Michael D. Glisson**  
Assistant Executive Officer  
Superior Court of Nevada County



**Hon. Erica R. Yew**  
Judge  
Superior Court of Santa Clara County

# BINATIONAL JUSTICE PROJECT

## Superior Court of Imperial County

### Cross-Border Cooperation Improves Enforcement and Helps Self-Represented Family Law Litigants

Tens of thousands of Mexicans and U.S. residents cross the border at Calexico every day to work, to shop, to go to school, and to visit families. Imperial County, California, and neighboring Mexicali, Mexico, are one community in almost every respect—geographically, commercially, and culturally.

Since 2005, the Binational Justice Project of the Superior Court of Imperial County has also united the two communities via a legal collaboration, permitting enforcement of family court orders across the national boundary.

The program began with a partnership between the court and various Mexican entities—the consulate in Calexico, judicial agencies, and law schools—to provide free legal services to self-represented family law litigants. It culminated in 2009 with formal memoranda of understanding between the Imperial County court and Mexican authorities.

The first agreement, signed in January 2009 by Imperial County Presiding Judge Donal B. Donnelly and Baja California Supervising Family Law Judge Juan Ulloa, established detailed procedures for notifying each jurisdiction of the other's orders and for certifying compliance. Under this agreement, the Imperial County court's attorneys and the Baja California public attorneys (the public defenders who are available to litigants in family law as well as criminal cases) also exchange information and provide mutual training and education on jurisdictional and procedural issues.

The second agreement, signed two months later by the Mexican consulate and the Imperial County court, pledged mutual cooperation to promote the

court's self-represented litigants' program and to train consular staff in assisting Mexican citizens with their Imperial County family law matters.

Pablo Jesus Arnaud Carreño, the Consul of Mexico in Calexico, says the agreements "will improve the direct communication between judicial authorities in both jurisdictions through the exchange of information on international law, helping to resolve fairly and efficiently the legal issues involving a conflict of law or jurisdiction."

Judge Donnelly puts it this way: "We build personal relations with the Mexican authorities and with others who can help us."

As a result of the agreements, orders issued in one jurisdiction are being enforced in the other to an increasing extent. Compliance has improved noticeably, reports Diane Altamirano, the senior court managing attorney.

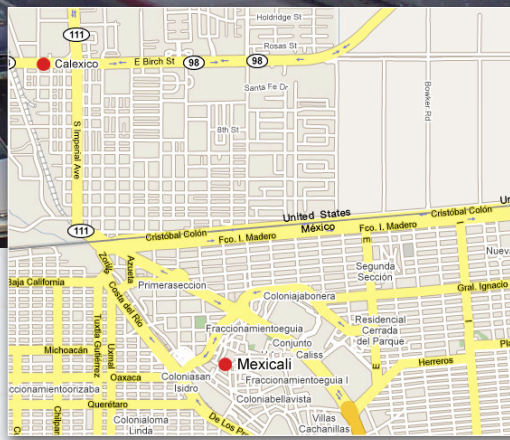
Meanwhile, assistance provided to self-represented family court litigants by the court staff expanded in January 2008 into an Access Center, housed in the



*More than 100 countries have consular offices throughout California. This map shows the areas served by the 10 Mexican consulates in the state.*

*(Source: Superior Court of Imperial County)*





*Mexicali and Calexico are adjacent, yet they are on opposite sides of the U.S./Mexico border. Up to 50,000 workers travel between the two cities daily.*

courthouse and run by a bilingual, culturally competent staff of five. Among them is a former consular lawyer who is an authority on the family law of Mexico and the United States and an expert at navigating cases in which dual jurisdiction may be an issue or in which a judgment or order issued in one country must be enforced in the other.

A rotating contingent of volunteer law students from Mexico, each devoting a semester to the project, rounds out the staff. “A lawyer is trusted more if he starts by asking how the divorce litigant feels rather than what property he wants to keep,” observed former intern Daniel de los Santos, illustrating the insights these Mexican students bring to the project.

The Access Center’s Mexican partners help alleviate the confusion caused by numerous differences between the U.S. legal system and that of Mexico, where there’s no jury system, cases are conducted primarily on written pleadings, and grandparents may be ordered to pay child support.

The project also sponsors workshops for English- and Spanish-speaking litigants in family law issues, building confidence in their ability to navigate the legal system.

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Funding for the project, which has an annual budget of about \$300,000, includes state funds for assistance to litigants with child-support issues, Administrative Office of the Courts grants for self-help centers, and trial court operating funds.

#### TO REPLICATE THIS PROGRAM:

- *Understand your caseload and assess whether binational issues commonly arise.*
- *Make a list of the litigant groups served by your court who might have an interest in resolving these issues.*
- *Build personal relationships with those people. Form a basis for mutual trust, especially where different languages, cultures, and laws are involved.*
- *Start with an isolated problem and collaborate on a workable solution that serves the court’s mission in an effective and efficient manner.*
- *Put it into action.*
- *Review, refine, and expand to address additional problems.*



# MULTI-OPTION APPROPRIATE DISPUTE RESOLUTION PROJECT

## Superior Court of San Mateo County

### Dispute Resolution Program Has Become an International Model

To maximize its ability to resolve cases through appropriate dispute resolution, the Superior Court of San Mateo County has partnered with the local bar association and community to offer a comprehensive range of dispute resolution services. These services—offered free, at a reduced rate, or at the market rate—are provided for voluntary or mandatory

resolution of disputes. Virtually every type of noncriminal case has a service available—from small claims to complex litigation, and from family law disputes to juvenile delinquency.

So effective is this program that courts throughout the world draw on the San Mateo court's expertise in designing and adapting innovative alternative dispute resolution (ADR) programs. Visitors have come from every continent except Antarctica, and have included the Turkish minister of justice.

"Your willingness to share your experience has helped us tremendously, and your program has helped us to implement the same as a perfect model in our Bombay High Courts and also in the Bombay University," wrote Sheela Balsari, ADR coordinator for the Civil and Sessions Court in Mumbai.

The San Mateo Multi-Option Appropriate Dispute Resolution Project grew from a civil ADR program in 1996 to include family law, probate, juvenile delinquency, dependency, and finally, in 2007, complex litigation.

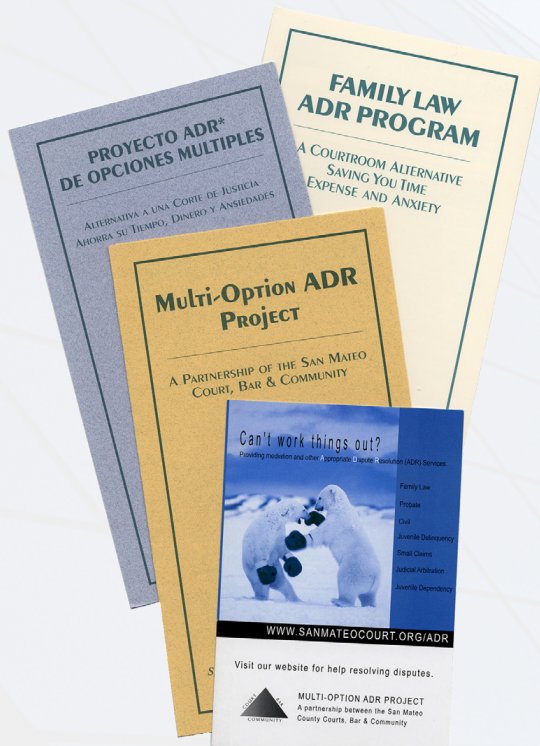
The project encompasses mediation, arbitration, and hybrid dispute resolution processes. This flexible menu permits attention to be paid to the unique features of each case. For example, a statute of limitations question may be arbitrated first. If it is determined that the statute of limitations has not elapsed, the rest of the case may be mediated. Or a portion of a case may be mediated to narrow the issues for trial.

The project screens all mediators and arbitrators. Staff members meet with counsel to discuss both the options and potential providers and to help match



*Volunteer mediator Rhonda Gessow assists in the Juvenile Mediation Program of the San Mateo County court's Multi-Option ADR Project.*



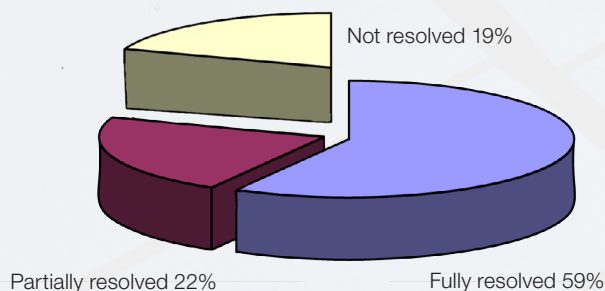


*San Mateo's broad ADR program is a model for other California counties. Its family law ADR and juvenile delinquency mediation services are unique within the state.*

each case to an appropriate resolution process and an appropriate mediator or arbitrator.

Hundreds of mediators participate in the project. The professional staff mediate cases and also oversee the 50 or so nonprofit volunteers who handle the small claims, juvenile dependency, and juvenile delinquency

### Resolution of Cases Using Family Law ADR, Fiscal Year 2007–2008



*The Multi-Option ADR Project's family ADR services achieved an 81 percent settlement rate (either full or partial settlement) in fiscal year 2007–2008, an indicator of their effectiveness. (Source: Superior Court of San Mateo County Evaluation Report, July 2007–July 2008.)*

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cases. An additional 20 or so attorneys serve as family law mediators at a reduced rate of \$100 for a 90-minute session. Another 200 or so arbitrators conduct arbitrations ordered by the court or stipulated by the parties and are paid by the court at \$150 per case.

In addition, about 130 mediators are available for civil, complex, and probate cases. This work is done in their offices and billed at the market rate. Screening for reduced fees or fee waivers is available to those who need assistance, and each mediator is required to take at least one pro bono case a year. Lending the court's imprimatur to carefully screened private mediation services encourages more litigants to avail themselves of those services, says Sheila Purcell, the project's director.

With a staff of 7.5 and a budget of about \$1.2 million, the project is supported primarily by state trial court funds. Startup grants, fees, and community volunteers were used to launch various aspects of the project.

**Evaluations by litigants, attorneys, mediators, and arbitrators show a high level of user satisfaction, high settlement rates, and increased confidence in the fairness of the judicial system.**

**"[The] mediator was able to educate plaintiff on shortcomings of this case when defendant had not been able to," wrote one defendant in the civil ADR program.**

**"I heard their side of the story," wrote an offender after participating in the juvenile mediation program.**

#### TO REPLICATE THIS PROGRAM:

- *Assess what bar and court leaders think are the community's ADR needs.*
- *Assess the available resources.*
- *Develop strategic plans for short-term, mid-range, and long-term goals.*
- *Start with a small pilot and evaluate.*
- *Build from there.*



# GIVING FAMILIES A CHANCE

## THE COLLABORATION BETWEEN FAMILY COURT SERVICES AND FIRST 5

### Superior Court of Santa Clara County

#### Partnership Helps Caring Specialists Connect At-Risk Families with Services

Santa Clara families entering the courts with disputes over child custody and visitation rights often have deeper problems affecting the health, safety, and welfare of their children or other members of the household, including domestic violence, substance abuse, child abduction, and mental illness. Many children involved in family court matters are involved in other courts as well—criminal domestic violence or probate, for example—or they have a high potential to become involved.

A survey of 1,300 families with matters filed in family court showed that most had experienced abuse or violence, and more than two-thirds were involved in the criminal justice system. Children often were caught between battling parents or trapped in other situations placing them at high risk.

Recognizing that the courts alone cannot address many of these deep-seated problems, the Superior Court of Santa Clara County reached out to FIRST 5 Santa Clara County, a county agency created under Proposition 10 to serve children in their first five years of life. FIRST 5, in turn, provided connections to its network of 68 service providers.

Under the name Giving Families a Chance, this collaboration has resulted in direct FIRST 5 funding of \$5.8 million in cash or in-kind services to families involved with the court. In addition, the court itself funds services such as supervised visitation, Parenting Without Violence classes, and therapeutic supervision, all conducted by private providers and nonprofit agencies.

FIRST 5 has staff who are based at the court, where they work to put families with at least one child under



*Parenting workshop at the Center for Healthy Development.*

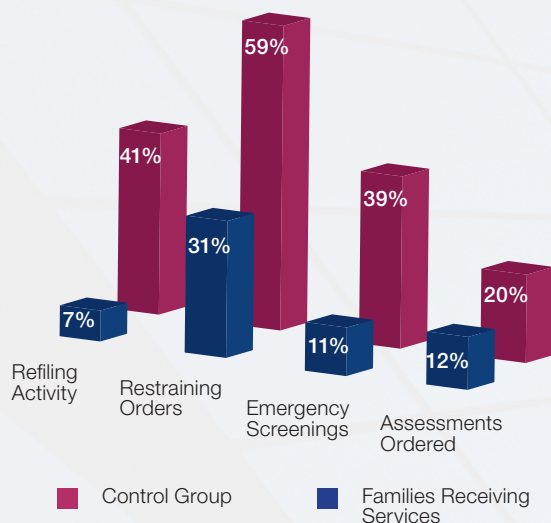
six on a fast track to help. FIRST 5 assigns family specialists to serve as advocates for these families in family court, dependency, probate criminal domestic violence, juvenile delinquency, and some drug court proceedings. The specialist's first job is to help family members understand what the court requires of them. Then the specialist explores the needs of the children and helps connect the family to a host of services, court ordered or voluntary.

Through this effort, family specialists have connected more than 6,000 parents with services such as health insurance, dental care, and preschool.



Meanwhile, the nonprofit Center for Healthy Development provides 8- and 12-week classes that teach parents the skills they need to build safe families and to parent without conflict. Enrollment for parents with children under six who are referred by the family court is subsidized, except for a small copayment.

## Reduction in Interventions for Families Served by the Program



(Source: Harder + Company Community Research Evaluation report, November 2006.)

Harder & Company Community Research, which examined the court's data in 2005, reported a dramatic reduction in the number of families requiring judicial intervention or intervention by family court services to solve their problems. Harder compared families served by the Giving Families a Chance program with ones that had not been served over an 18-month period. It called the program "an effective means of improving litigants' trust and confidence in the courts."

The Giving Families a Chance program also has strong support from pro bono attorneys. They're available to represent parents for specific motions or

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limited actions in domestic violence matters, including restraining orders, to assure that both sides are represented.

The Association of Family and Conciliation Courts gave the program its Irwin Cantor Innovative Program Award in 2008.

The most important testimonials have come from the Santa Clara County families that have been served by the program:

"Honestly, I did not have any expectations for myself in family law treatment court," said one parent. "I was amazed after attending TC how people like the coordinator and the judge genuinely were there to help me better myself. It has been beneficial to me in every way."

"We haven't had a new court filing in four weeks," remarked one participant in a Center for Healthy Development course. "This is the first time in four years we've gone this long."

"She called me this week and asked me if I wanted to go to the baby's doctor's appointment with her," a father reported. "That's the first time she's done that. In fact, that's the first time we've talked at all in over two months."

### TO REPLICATE THIS PROGRAM:

- Recruit a judge to champion the program and to convene concerned community representatives to discuss the problem.
- Educate and collaborate with community organizations.
- Pool court and community resources.
- Develop priority referral systems for families in urgent need.
- Designate someone in the court system, perhaps a volunteer, to help families understand court orders and to connect them to services.

# APPELLATE SELF-HELP CLINIC

## Court of Appeal, Second Appellate District

### Drop-In Clinic Helps Litigants Navigate the Maze of Court Procedures

For the typical unrepresented civil litigant, the appellate process can be daunting. Filing requirements are exacting. The procedure bears no resemblance to the more familiar trial court routine. The very language can baffle even the sophisticated layperson. Associate Justice Laurie Zelon, in 2005, convened a group of judges, court staff, and bar leaders to discuss what could be done to help these people, an increasingly large percentage of litigants in the 5,000 cases that the Second Appellate District of the Court of Appeal decides each year.

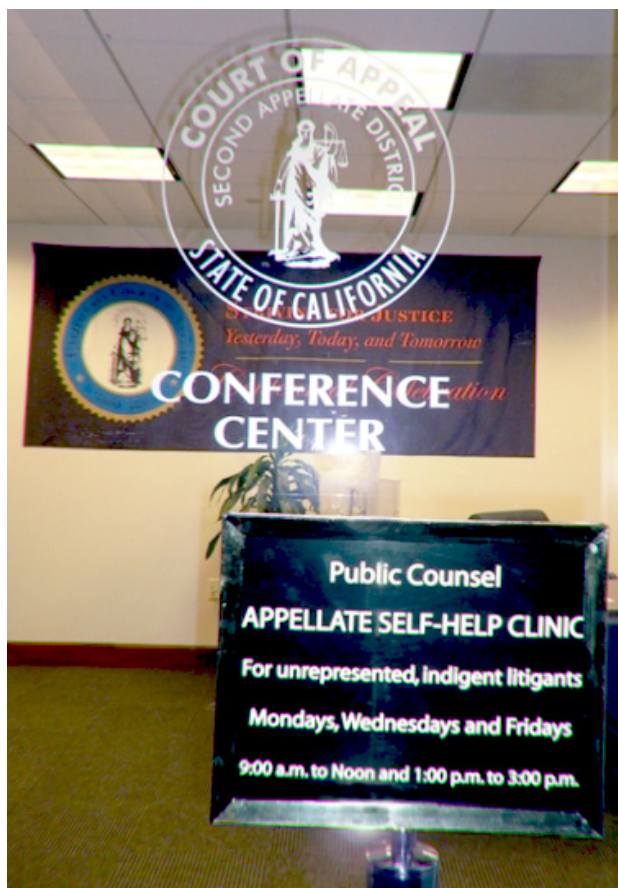
The chief goal was to make access to the court more readily available by demystifying the process, says Joseph A. Lane, the court's clerk and executive officer. But providing assistance to unrepresented litigants could serve the court as well. It could reduce the number of administrative delays caused by pro se error, and it could improve the quality of the record and briefing on appeal.

The result of that 2005 meeting was the first formal program in any state court to provide a drop-in clinic for appellate litigants—a place where, in the words of one user, “they treat you like a human being.”

Launched in 2007, the Appellate Self-Help Clinic is conveniently housed in the court's on-site Settlement and Mediation Center. Open three days a week, the clinic is staffed by two lawyers from Public Counsel, the public-interest law office of the Los Angeles County and Beverly Hills bar associations. In the first two years they served 398 litigants.

The self-help clinic is open to anyone, though the vast majority of users are indigent, states Lisa Jaskol, the chief clinic attorney. Litigants can make appointments, but they're also welcome to drop in anytime. Spanish-language assistance is available with advance notice.

Both attorneys are trained appellate specialists who can assist litigants in meeting the highly technical filing requirements. Typically, the lawyer will explain the difference between trial and appellate proceedings. She will also explain the appellate process and procedure, review the litigant's paperwork, and provide and help fill out Judicial Council forms.







*Attorney Lisa Jaskol confers with litigants.*

The clinic's attorneys do not provide representation or give legal advice. But for some indigent civil litigants, they offer to recruit pro bono legal representation, using the listserve of the Los Angeles County Bar Association's Appellate Courts Committee.

In the first two years, 101 attorneys did pro bono work for litigants through the clinic. The clinic provides valuable opportunities for junior attorneys to work under the guidance of experienced appellate practitioners.

Clinic policy is set by a committee chaired by Justice Zelon, with members drawn from the Appellate Courts Committee, representatives of Public Counsel, and prominent appellate practitioners.

Startup and upkeep costs to the court have been minimal. The court donates part-time use of a multifunction office; a computer, telephone number, and phone access for the clinic lawyers; and office supplies. A grant from the State Bar's Equal Access Fund partially covers Public Counsel's costs for the program.

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(213) 830-7112 | joseph.lane@jud.ca.gov

“

Litigants routinely report that they would have been unable to proceed with their appeals, or to defend against an opposing party's appeal, without the clinic's support.

“I feel like they are working for me,” one litigant said.

“They don't speak down to you,” said another.

“When you walk in nobody knows anything about your case, but they have open arms, they want to help you, and that really feels good,” said a third.

Court staff also are enthusiastic. As one staff member puts it, “After speaking with [the clinic attorney], litigants are more educated about the process, and they're more receptive to what we have to say.”

”

#### TO REPLICATE THIS PROGRAM:

- *Develop a local working group of individuals from the bar and community to brainstorm a list of resources that can be tapped.*
- *Obtain funding to staff the clinic with an attorney who is not paid by or answerable to the court.*
- *Find space in or near the courthouse to make the clinic as accessible as possible to litigants.*

# ONLINE PROCEDURE MANUAL

## Superior Court of Amador County

### Step-by-Step Guides Increase Staff Versatility

In small courts such as the Superior Court of Amador County, where personnel total about three dozen, staff may be called on to do anything from processing an appeal to buying gas for the court's van. Versatility is everyone's job requirement. Now, thanks to the Online Procedure Manual, versatility has become easier to accomplish.

If a staff member from the criminal division is working the counter, and a litigant approaches with a civil filing, the staff member has instant access to the procedure for processing the filing, without consulting the civil division staff or hunting for hard-copy instructions.

The manual currently consists of close to 100 step-by-step "job aids" that walk a user through each task. The aids provide warnings about critical deadlines and other urgent information as well as links to Judi-

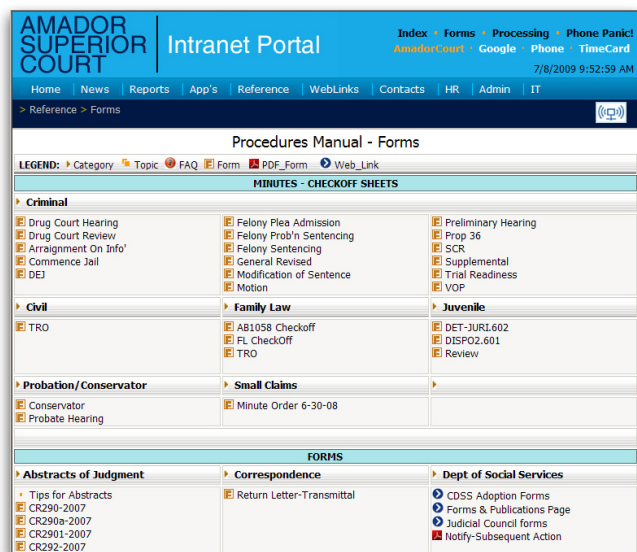
cial Council forms and rules and to related job aids. The job aid on closing a criminal case, for example, includes links to job aids on reporting to the Department of Justice or the Department of Motor Vehicles.

Using the online manual, the staff have become more confident and consistent in responding to attorneys and the public.

"I was in a position today in which I had to process a juvenile dependency warrant," said clerk Jennifer Novelli. "The clerks with the knowledge of this were out of the office. Thank goodness I had the job aid to get me through the procedure swiftly and efficiently for our county counsel's office. It was very clear and precise."

About 30 members of the court's clerical and administrative staffs now use the manual, which went online in June 2008 and is updated continually. Preparation of job aids for the fiscal and business staffs is under way. Judicial job aids also are in the court's future.

To compose a job aid, the court first designates a staff member as a subject-matter expert. (But "everybody has input," says court manager Janet Davis.) The designated expert writes the job aid and then, to find out whether the task can be completed successfully using only the aid as a guide, the expert sends a draft to a staff member who has no working knowledge of the procedure. After the necessary revisions are made, the job aid is sent to the court manager for approval and then to the staff Web developer for integration into the Online Procedure Manual on the court's internal Web site. A project manager oversees the process, eliminating duplicate job aids and identifying the need for and assigning the preparation of new ones.



*The Online Procedure Manual offers court staff descriptions of a wide range of common tasks.*



Staff, who are encouraged to e-mail feedback to court managers, report less stress in finding information, more confidence that their tasks will be performed competently during their absences, and more satisfaction in serving the public.

**AMADOR SUPERIOR COURT** | Intranet Portal

Procedure Manual | Phone Panic! | AmadorCourt | Google | Phone | TimeCard

7/8/2009 10:08:42 AM

Home | News | Reports | App's | Reference | WebLinks | Contacts | HR | Admin | IT

PM\_Comment Form

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**Job Aid: How to Prepare Minute Order After Tentative Ruling**

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**Introduction** In Civil Cases the Court issues Tentative Rulings on Law and Motion matters. If oral arguments are not requested, the Court adopts the Tentative Ruling and no hearing is held.

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**Responsibility** The Courtroom Clerk assigned to prepare the Tentative Ruling Minute Orders. (Currently Nikki Castoe).

---

**Procedure** Follow the steps below to prepare a Minute Order after Tentative Ruling.

Step	Action
1	The Research Attorney shall e-mail the tentative rulings to the appropriate clerks. Tentative Rulings are also available at: N:\Users\Tentative Rulings\2008\Click on appropriate date
2	If red light is blinking, press the MSG message button.
3	• Prepare Minute Order with language: The Court's tentative ruling is adopted as it's Order: • Cut and paste the tentative ruling from either the Research Attorney's e-mail or from the N: drive. TBA-Job Aid How to Prepare Minute Order
4	 Press 5 to Listen to the Message
5	Docket your Minute Order in CourtView.
6	Result the Event with code TENT=Tentative Ruling.
7	Track the file to the active shelf. Refer to: Job Aid How to Track Case in CourtView

---

**Important** It is important to turn around the files as quickly as possible because the matters often have another court date fast approaching.

---

**Label**  
Approved by Janet Davis, Court Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Revised: 5/19/08

Each job aid guides the user through a series of steps to complete the task.

Court managers plan to track the way job aids are used and to refine them as necessary. The entire manual also will be reviewed regularly to ensure that the job aids continue to reflect the most accurate and efficient ways to perform tasks. All staff will be retrained periodically to assure the best use of the manual.

Contact:  
Janet Davis, Court Manager  
(209) 257-2680 | jdavis@amadorcourt.org

“Clerk Cassandra Dehoff said, “I used the job aid to prepare and lodge trial exhibits in the locker. Everything I needed to know was in the instructions.”

“I thought I remembered how to exonerate a bail bond,” wrote clerk Nikki Castoe, “but I used the job aid anyway and realized that I would have missed steps if I would have tried to do it without the job aid. The job aids are wonderful for refresher purposes, too, not just brand-new learning.”

“I have not had to do this for a long time,” wrote clerk Mary Ellen Morris, after using the job aid on creating delayed e-mail. “And it was great having a way to walk me through the process again to make sure I did it correctly.”

#### TO REPLICATE THIS PROGRAM:

- Contact Ms. Davis to obtain a copy of the Amador County court's job aid on writing a job aid.
- Alter it to suit your court.
- Once everyone is comfortable with it, select subject-matter experts to write the aids applicable to their duties.
- Choose a project manager.
- Coordinate with technical staff to develop a central database.
- Monitor continually for legal changes, form changes, and glitches.



# ONLINE JUROR ORIENTATION

## Superior Court of Los Angeles County

### Interactive Web Site Gives Jurors a Head Start

Up to 10,000 prospective jurors report for duty each day in the Superior Court of Los Angeles County—enough people to populate a small city. The court, like other trial courts in California, is required by law to provide orientation for all of them. Using the latest Web and video streaming technologies, Los Angeles County has launched the first program to offer fully interactive juror orientation over the Internet, with customized information on parking, amenities, emergency evacuation procedures, and other distinct features for each of the county's 34 courthouses.

The Online Juror Orientation program appeals to mobile professionals, parents, and others who find it worthwhile to cut their time in the jury assembly room by as much as two hours on the first day of jury

service. Jurors can complete orientation at their own convenience wherever there's an Internet connection. They then print out a certificate of completion, which they submit when they report for service. They walk into court ready to go to the jury pool for the first panel.

By reducing the first-day crush of prospective jurors reporting for orientation, the court alleviates crowding in the assembly room and increases the effectiveness of its staff, who have less paperwork to process and fewer people to point to restrooms and restaurants.

The orientation consists of three videos, each incorporating an interactive quiz. When a juror enters a wrong answer, the correct answer automatically pops up. Two of the videos are specific to the Los Angeles court system and were created by the court's staff. The third is a state-mandated *Ideals Made Real* orientation video that describes the judicial process and the juror's role in it. The court did all of the scripting, filming, and programming internally, using a rented teleprompter. No services were bought.

About 800 jurors a month currently are participating in the year-old program—enough to have made a noticeable difference, says Gloria M. Gomez, the director of jury services for the court. The court has begun an aggressive effort to promote online orientation. A brochure about the program is being mailed with the jury summons, and information on the program is incorporated into the voice response that jurors reach when calling in, as they must, after receiving their summonses.

The court now is working on a brief online refresher orientation for jurors who repeat service within a short time span. Also, a system is being designed to allow



Jury assembly room in Los Angeles County.

jurors who have been through online orientation to report directly to a designated courtroom for a case instead of checking in at the assembly room, further reducing their first-day time commitment.

At the end of the orientation, jurors are invited to participate in a short survey. Their comments are being used to refine the program. The size of the video window will be increased, for example, and a long segment will be chopped into three short ones. But the content is “exactly what needs to be provided to set up their expectations—how the term of service works, what they’ll be paid, where to find the parking directions on the summons, what is going to happen to them, when they can use phones, how to dress, how to get through security,” Ms. Gomez says. Except for legislative changes, which will be incorporated quickly, the content won’t change significantly.

**T**his is what some jurors had to say about online juror orientation:

“Intelligent, informative presentation. Spoke to me and not at me . . . Looking forward to jury service.”

“This orientation provides the potential juror with a sense of positive anticipation to serve, as opposed to the usual sense of reluctant obligation.”


“Very well done and much better than reporting at 8 a.m.”

“Anything that allows me to not have to fight downtown L.A. commuter traffic is worth its weight in gold. Serving on jury is not a problem for me, but driving into downtown L.A. is a nightmare.”

“It was a nice way to complete required orientation at home, making it easier to take care of my children on my first day of service.”

Contact:  
Gloria M. Gomez, Director of Juror Services  
(213) 974-5814 | ggomez@lasuperiorcourt.org

*Juror On-Line Orientation*



*Certificate Of Completion*  
HAROLD J BLACKMORE  
Name of Juror  
083660824  
Juror Identification Number

Please call 1-800-SRV-JURY for reporting instructions the weekend prior to your service week listed on the summons. When asked to report, your new time to report will be 09:00 AM. Along with this certificate, please also bring your completed jury summons when you report.

06/05/2009  
Juror On-line Orientation  
Completion Date

1:21 PM  
Juror On-line Orientation  
Completion Time

I am the Juror and individual named above who completed the On-line Juror Orientation. I certify under penalty of perjury under the laws of the State of California that the foregoing statement is true and correct (CCP Sec. 2015-5(b)).

\_\_\_\_\_  
Juror Signature

\_\_\_\_\_  
Date

2235

#### TO REPLICATE THIS PROGRAM:

*Contact Ms. Gomez for scripts and other materials for you to adapt. She will put you in touch with staff who worked on the scripts and judges who participated in the videos.*

*The online orientation is a Web application developed with Microsoft's .Net technology. Streaming videos using Adobe's Flash technology are coupled with interactive questions to help ensure that jurors are properly equipped for service.*



# ONLINE PROBABLE CAUSE

## Superior Court of Contra Costa County

### Online Handling of Probable Cause Declarations Saves Time and Cuts Costs

The Superior Court of Contra Costa County has developed a computer application that allows judges performing magistrate duty to approve or deny probable cause declarations—about 15,000 a year—from their home computers, or from anywhere there's an Internet connection.

Since the procedure was placed online, the time that judges must spend in reviewing and approving these documents “has been cut in half or better, and we are saving huge amounts of money in faxing and paper costs,” says Judge Thomas Maddock, who became the first duty judge to use the new system in 2007.

In the past, handwritten declarations by police officers often were illegible. Fax machines jammed or failed to transmit, or they ran out of paper or toner. In addition, judges sometimes spent time reviewing declarations on suspects who had already been released by law enforcement.

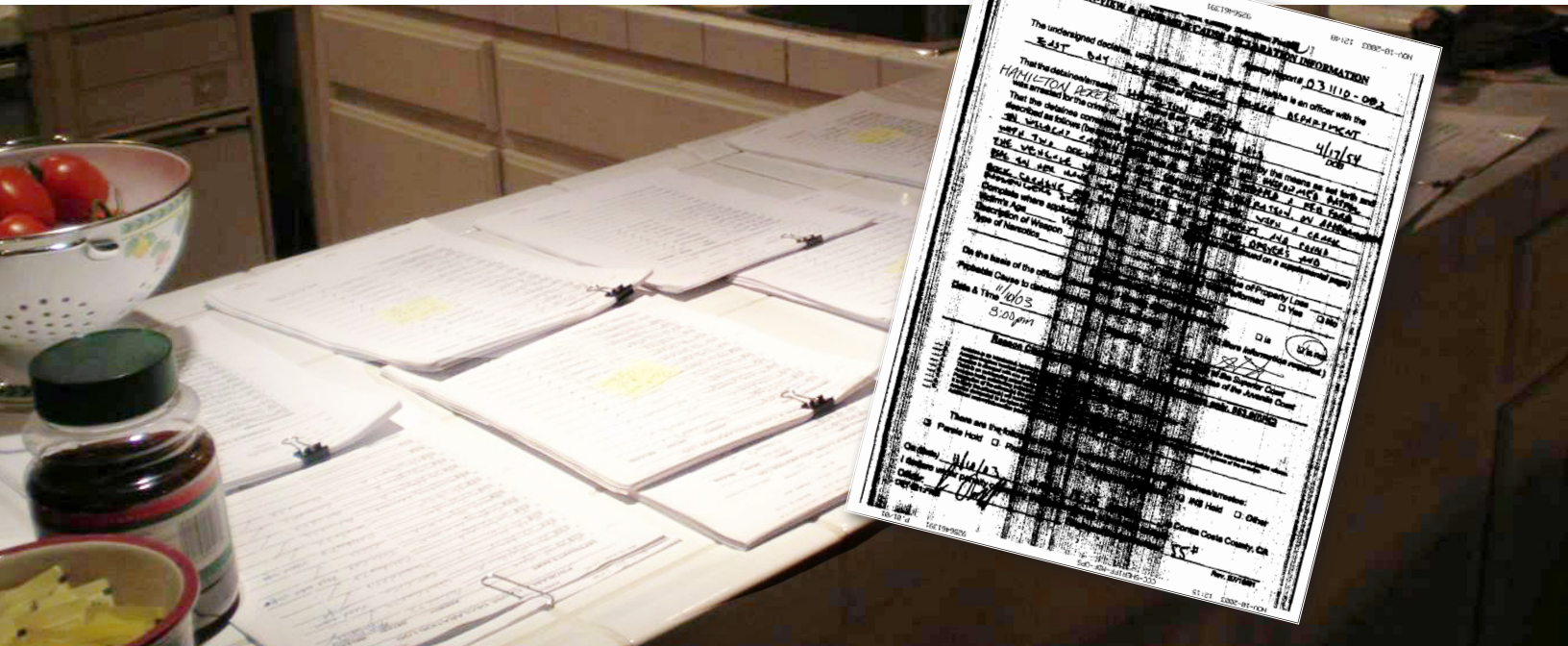
Now the declarations are clearly typed and, usually, spell-checked. Judges can simply read and act on declarations—they don't have to decipher them. Going online has eliminated the need for judges—and, for that matter, clerks, administrators, and managers—to spend time faxing, sorting, stapling, and performing other clerical duties. Officers' declarations are placed in a single queue, organized by time of arrest. If an arrestee is released, the declaration is removed from the active queue immediately.

The system was designed for adult cases, but at the request of the juvenile court judges, it has been replicated for their cases and juvenile probation.

As a result, a single judge can now handle the probable cause declarations for both adult and juvenile cases for a week's rotating duty. Two judges were needed previously.

The sheriff's department workload also has been reduced by nearly the equivalent of one full-time

*Before: The home kitchen table of a judge on magistrate duty. Quality issues, such as the dark streaks on the fax shown here, were common with the paper system.*





employee. Jail supervisors seeking to determine a suspect's status before the 48-hour deadline expires no longer have to phone the judge's home. A glance at the computer reveals the status of any arrestee at any time.

ID # / Case #	Arrestee	Arrest Date / Expiration Date	Officer / Agency	Status	Time Left
24472 / 07-23198		8/7/2007 19:17 / 8/9/2007 19:17	Spanner, Matthew / San Pablo Police	Submitted To Judge	10:49:55
24522 / 07-18827		8/8/2007 00:21 / 8/10/2007 00:21	Lingua, Andy / Walnut Creek Police	Submitted To Judge	15:53:55
24499 / 07-20441		8/8/2007 13:00 / 8/10/2007 13:00	Ryan, Marty / CCC Sheriff	Submitted To Judge	28:32:55
24498 / 07-8042		8/8/2007 13:15 / 8/10/2007 13:15	Mortimer, Michael / Antioch Police	Submitted To Judge	28:47:55
24501 / 07-7770		8/8/2007 14:30 / 8/10/2007 14:30	ajello, steve / Antioch Police	Submitted To Judge	30:02:55
24502 / 07-14861/NN07-085		8/8/2007 15:00 / 8/10/2007 15:00	Jacala, Edwin / El Cerrito Police	Submitted To Judge	30:32:55
24510 / 07-23306		8/8/2007 15:20 / 8/10/2007 15:20	White, Sandi / San Pablo Police	Submitted To Judge	30:52:56
24503 / 07-20466		8/8/2007 16:30 / 8/10/2007 16:30	Bivian, D. / CCC Sheriff	Submitted To Judge	32:02:56
24505 / 07-8051		8/8/2007 16:30 / 8/10/2007 16:30	Gonzalez, Adrian / Antioch Police	Submitted To Judge	32:02:56
24504		8/8/2007 17:04	Jimenez, Michael	Submitted To Judge	32:36:56

*After: Probable cause declarations are clear and accessible online in a single, countywide queue, organized by date and time of arrest.*

“On April 23, 2007, we turned the system on and never looked back,” says Lieutenant Steve Simpkins, commander of the West County Detention Facility in Richmond. “There were a few small hiccups that were cosmetic in nature. Otherwise there have been no serious problems with the system. Feedback that I have received from the sergeants at both [jail] facilities is that they have regained at least an hour of their work shift and have far fewer telephone calls to make and headaches to deal with.”

Training judges to use the application typically requires a session of less than 30 minutes with the Court Information Systems staff. A judge leaves the session with an icon on his or her desktop or laptop and information on connecting to the system from home.

For the judges, hiccups in using the system have been rare, though there have been some. A week after the system was first brought online, for example,

the judge assigned to probable cause duty phoned Kathy Ridgeway, the court's deputy executive officer, to alert her that declarations had not been coming in from the jail in the expected numbers. Ms. Ridgeway called the jail, which confirmed that the customary numbers were being processed and added to the queue. A bit of research by the jail commander cleared up the mystery. Judge Maddock himself had been reviewing and acting on the declarations before the duty judge could get to them because, he said, the computer application “is just so cool.”

Startup costs for the project were paid in part by a federal Department of Justice automation grant and local police funding. Maintenance has been funded through fees paid by Contra Costa law enforcement, the court, and other area agencies to the county's Automated Regional Information Exchange System (ARIES), a consortium of law enforcement agencies that pool resources and share information. ARIES has classified the application as a “critical justice system application,” ensuring that keeping it up and running will be a high priority.

#### TO REPLICATE THIS PROGRAM:

- *Get stakeholders to buy into the concept.*
- *Demonstrate how the system will work to the judges and jail staff.*
- *Contact a vendor to create the system, or work with your IT staff.*

#### Contact:

Lucy Fogarty, Deputy Executive Officer, Financial Services  
(925) 335-4460 | lfoga@contracosta.courts.ca.gov



# SELF-HELP ONLINE WORKSHOP REGISTRATION

## Superior Court of Monterey County

### Litigants Gain Easier Access to Self-Help Services

Dealing with the government is not always easy, and it is particularly hard for Californians whose daily responsibilities allow them no flexibility to attend to personal business. The recent explosion in Internet availability, however, has created new opportunities for the courts to accommodate the public in ways that respect the realities of many people's lives.

Taking its cue from agencies such as the Department of Motor Vehicles, the Superior Court of Monterey County has, since June 2008, been permitting family law litigants to register for the court's self-help services simply by going to the court Web site, accessible at any time of the day or night. Litigants may register online for any of four self-help workshops—English and Spanish versions of a marriage dissolution workshop and English and Spanish versions of a workshop on child support, custody, and visitation.

Using the Web site, they also may make appointments with the court's self-help staff to review their documents to ensure that the paperwork is properly completed.

This online registration is especially welcome in Monterey, where many litigants had to drive as far as 65 miles to the main county courthouse so they could register at the self-help center during business hours. But in addition to saving litigants time and money, online signup is more efficient for the self-help staff. For example, staff can see at a glance if there's a month's wait to get into a particular workshop but another workshop isn't filling up. The staff can then realign the workshop schedule to meet the litigants' needs, instead of forcing litigants to adjust their own schedules.

About one in four workshop participants currently registers online, and this proportion has been increasing month by month. People who use the self-help center are told about the feature and are handed information

*Online registration saves time for staff as well as workshop registrants, enabling staff to spend more time assisting litigants.*





about registering online for future visits. Information about online registration is also given on the court's Web site.

Users surveyed by the court rated the procedure favorably. "It is very easy to register, and I think it's faster—you save time and they give you a confirmation number. I was very satisfied," said litigant Miguel Morales.

Online registration currently is available only in English, but the court hopes to offer signups in Spanish in the future.

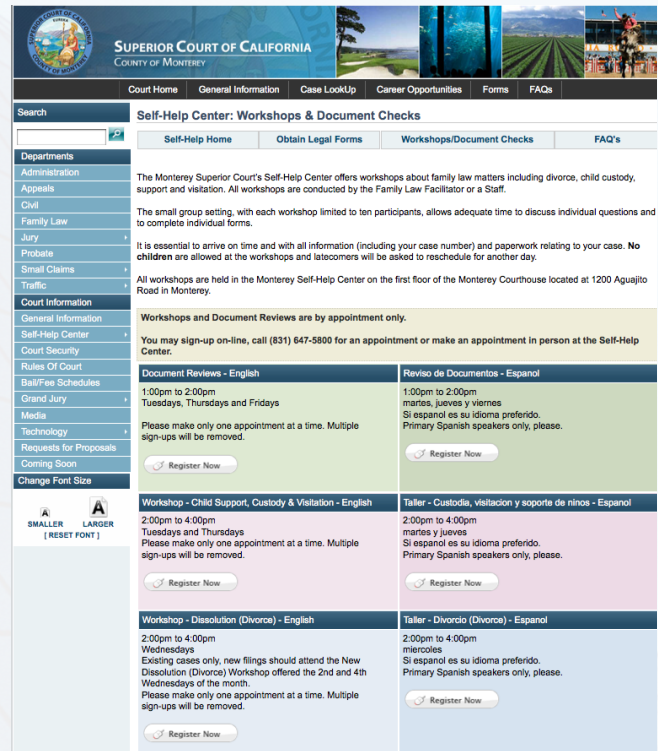
The startup cost for the program was about \$10,000 for programming and Web development.

"The program requires a great self-help center staff to create it and keep it up to date," says Web administrator Eric Chavez.



Some Monterey County residents travel long distances to reach the main courthouse located in the City of Monterey, which has exclusive jurisdiction in family law matters.

Contact:  
Darvin Monkemeier, Information Technology Manager  
(831) 775-5461 | darvin.monkemeier@monterey.courts.ca.gov



Online registration Web site.

## TO REPLICATE THIS PROGRAM:

Contact the IT staff of the Superior Court of Monterey County. They are willing to assist other courts interested in replicating this project, which was created in less than two weeks. Mr. Chavez says, "The program requires low technical maintenance and involves minimal ongoing support costs. The module is easily transferred to any court that is standardized on a Microsoft platform."



# HONORABLE MENTION

The programs on these pages received honorable mention for the 2008–2009 Ralph N. Kleps Award for Improvement in the Administration of the Courts because they advanced past the first level of Kleps Award Committee review and met the initial criteria.

The Kleps Award review process is rigorous and comprehensive. After the eligible programs are fully evaluated, some that may not meet all of the Kleps Award criteria may still be employing innovative methods to address local concerns or successfully improving services in their communities. The committee wishes to share these notable programs with the branch, acknowledge the work being done by these courts throughout the state, and thank them for participating in the Kleps Award process.

Computer security at the **SUPERIOR COURT OF STANISLAUS COUNTY** is being converted to a fingerprint-based authentication system under a two-year pilot project. The court's **BIOMETRICS** program reduces the number of problems caused by lost passwords, shared passwords, and passwords written on sticky notes and slapped onto computer monitors. The IT staff's password-related work orders have been reduced by about 25 percent.

The **SUPERIOR COURT OF STANISLAUS COUNTY** is using a **RADIO FREQUENCY IDENTIFICATION (RFID) FILE TRACKING SYSTEM** to track court files. Files can instantly be located wherever they are, including off-site storage or the trunk of somebody's car. A computer chip the size of a pinhead uniquely tags each file. The RFID tracking system also generates inventory lists and permits quick courtwide file audits.

The **DEAF AND HEARING-IMPAIRED COMMUNITY OUTREACH** program of the **SUPERIOR COURT OF VENTURA COUNTY** has added community liaison duties to its American Sign Language (ASL) interpreter positions. Both of the court's ASL interpreters are available for court work when they're needed, but they also have time to work in the community—meeting with advocates and educators, training staff at the district attorney and public defender offices in deaf culture and language, and developing educational materials on the judicial system for hearing-impaired students.

An on-site **QUICKSTART ASSESSMENT CENTER** enables judges for the **SUPERIOR COURT OF VENTURA COUNTY** to refer defendants for immediate mental health or substance abuse



assessment and services. As a result, judges can make better-informed decisions, and defendants don't have to remember court-ordered appointment dates, keep track of paperwork, negotiate transportation, or deal with second thoughts about attending. They go directly from the courtroom to the center.

Volunteers screened by the **SUPERIOR COURT OF LOS ANGELES COUNTY** and trained by **ADVOCATES FOR CONSERVED ELDERS (ACE)** befriend isolated seniors who are under probate conservatorship, helping relieve their loneliness. The presence of volunteers who have long-term relationships with the conservatees and are alert to signs of abuse or neglect also permits the court to address urgent problems quickly.

The **ELDER LAW SERVICES PROGRAM** of the **SUPERIOR COURT OF LOS ANGELES COUNTY** Probate Court partners with Bet Tzedek Legal Services to offer legal assistance and court access for elderly and developmentally delayed adults who come into contact with the court. The court's staff also offer free classes for nonprofessional conservators to help them understand and fulfill court mandates and accounting requirements.

Self-help center attorneys in the **SUPERIOR COURT OF ORANGE COUNTY** have joined forces with family court services mediators, certified law students, volunteer lawyers, interpreters, and others to assist **SELF-REPRESENTED PARTY CALENDAR (FAMILY LAW)** cases not involving domestic violence. More than four in five parties who are on the self-represented party calendar receive judgments or reach mediated agreements on the day of their hearings. Both sides have access to the team.

In the **BRIDGE EQUITY AND JUSTICE INITIATIVE**, graduates of the **SUPERIOR COURT OF SAN FRANCISCO COUNTY**'s juvenile drug court who have participated in a local leadership program are placed in the court's self-help centers as paid, part-time interns. The youths provide a diverse staff mix to interview and assist self-represented litigants in navigating the legal system. At the same time these young people gain skills, confidence, and a broader vision of their own futures.

*For more information on any of the programs above, please contact Deirdre Benedict, Court Services Analyst, 415-865-8915 or [deirdre.benedict@jud.ca.gov](mailto:deirdre.benedict@jud.ca.gov).*





# BUILDING A MODERN INFRASTRUCTURE

*From outmoded computer systems to outgrown facilities, California's courts face many of the same kinds of problems, whether they're in the rural outreaches of the Sierra Nevada, the suburbs of the San Francisco Bay Area, the Inland Empire, or the sprawling southern coastal counties.*

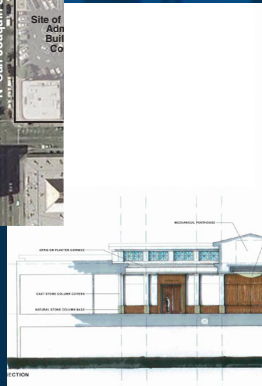
*When 58 counties were each responsible for funding their trial courts, budgets did not always keep pace with growing populations and caseloads. But centralized funding of the trial courts, instituted a decade ago, has created opportunities for branchwide improvements, making it possible to use innovative technologies and business practices that would have been out of the reach of many courts if they had to act alone.*

*In 2008–2009, major strides have been taken in several ambitious projects.*

*From Santa Ana to Quincy, courthouses have been built or renovated.*

*Sophisticated computer-based systems for managing both cases and the courts' administrative functions are in operation or development.*

*And a cohesive but flexible branchwide Web design soon will be unveiled, making it easier for more people to navigate the courts' Web sites and find the information they need.*



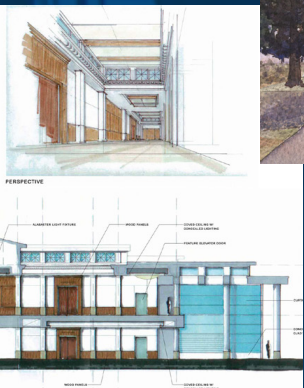


- The Next Generation of California Courthouses

- Court Case Management System

- Phoenix Program

- Judicial Branch Web Site Redesign



# THE NEXT GENERATION OF CALIFORNIA COURTHOUSES

After responsibility for California's trial court buildings passed from the 58 counties to the judicial branch in 2002, the arduous process of negotiating transfers of court ownership began. Completion of the final transfers to state ownership is expected by the end of 2009.

Once that occurs, the California courts will comprise the biggest state court building portfolio in the nation. Ranging from a one-room courthouse in Greenville, Plumas County, to the 101-courtroom Stanley Mosk Courthouse in downtown Los Angeles, they occupy more than 18 million square feet and 533 buildings.

A large number of these court buildings are in disrepair. Recessions and voter-mandated restrictions on the use of county funds have left many courts suffering from deferred maintenance. Some of the courts are neither safe nor efficient for use by the millions of litigants, lawyers, defendants, victims, witnesses, jurors, and police who use them each year.

Courts in small or historic buildings often have no room to install weapons screening stations at entryways. Some don't have enough space to separate in-custody criminal defendants from judges, court staff, victims, jurors, and the public. Many courts are

simply much too small for the populations they must serve. Seismic codes and mandates for disabled access also must be addressed.

Fixing all these problems is an enormous job. However, placing these 533 disparate facilities under a single owner, the state judicial branch, has created a rare opportunity. Projects can be prioritized, and new technologies and economies of scale can be introduced to achieve real cost savings and other efficiencies, not only in the way courts are constructed but also in the way they conduct business.

To those ends, the California Judicial Council adopted a statewide building plan in 2005. The council's list of projects, which is updated annually, now includes 84 replacement courthouses, 34 renovations, and 35 expansions. Each project has been assigned to a priority group, based on a methodology adopted by the Judicial Council in 2006 and updated in October 2008 that takes into account crowding, overall physical condition, security, and the need for additional judgeships.

Currently, 57 new buildings and major renovations or expansions are fully authorized and budgeted. Most of those projects are under way.

## BUILDING COURTHOUSES THAT WORK FOR STAFF AND COURT USERS

The first priority of the Office of Court Construction and Management is to construct "buildings that meet the needs of the courts—the judges, court staff, justice partners, and all the users," Director Lee Willoughby says. "It doesn't do any good to build an award-winning building if it doesn't work for those people or if it's expensive to operate and maintain."

To be sure that its projects do work, the office has implemented a rigorous program. It includes a computerized "lessons learned" database of problems and solutions that crop up throughout the building process—a catalog of processes and products that have, or have not, worked well.

"We don't want to lose that knowledge base when a project manager moves on," says Patrick Fagan, the office's senior quality and resource analyst. A program is being developed now to implement the lessons learned and to update policies and procedures accordingly.

The office also has instituted a facility evaluation program that includes a survey of the occupants of new courthouses about one year after occupancy and a quarterly survey of local court liaisons concerning every aspect of building management.





*Rendering of the new courthouse for east Contra Costa County, now under construction in Pittsburg, California.*

“Rather than treat them as independent projects, we want to treat this as one program,” says Lee Wiloughby, director of the Office of Court Construction and Management. “We’ll use similar processes for all the projects—through the acquisition of land, design and construction, and even facility management—so that we’ll have economies at every step. The process will be shorter. It will be more cost-effective. And the quality will be better.”

For example, the newest courthouses will adhere to the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Silver standard, which Governor Schwarzenegger has mandated for major capital projects undertaken by the executive branch.

Construction of the state’s first courthouse to seek LEED certification began in April 2009 in the fast-growing Pittsburg area of east Contra Costa County. Situated near public transportation, the Pittsburg courthouse will make extensive use of sustainable lumber and recycled building materials, and it will exceed the energy performance requirements of the state building code.

Among the many special features of this courthouse will be a “green roof” above the jury assembly pavilion. The planted roof, consisting of lightweight materials and drought-tolerant vegetation over a waterproofing membrane, will reduce water runoff and heat absorption while adding to the building’s visual appeal, says Pearl Freeman, the senior project manager.

## **A SHARED COURTHOUSE AND HISTORIC RENOVATION PROVIDE FLEXIBILITY FOR RURAL COUNTIES**

Taken together, the populations of Plumas and Sierra Counties total a mere 23,000 people. But they’re spread across 3,500 square miles along California’s mountainous northeastern border.

Many people live in a valley near the shared county line—in Portola, in Plumas County, or Loyalton, in Sierra County. In Portola, court is held in a multiuse county building. Loyalton is served mainly by a single courtroom in Downieville, across Yuba Pass and an hour away in the best of weather.

A new 7,400-square-foot courthouse, nearing completion in Portola, will serve residents of both counties. It will “put the courthouse where the people are,” says senior project manager Leland Roberts. The unprecedented sharing arrangement will be carried over into a shared system for managing traffic cases, which constitute the bulk of the work of both courts, says Deborah Norrie, the court executive officer in Plumas County, who is the local manager for the Portola-Loyalton courthouse project. “We will be coming up with one procedure” so that the Plumas court staff will process Sierra County traffic cases. “The advantage in coordinating is [that] my staff doesn’t have to learn two ways of doing things.”

*(continued)*





*The Fourth Appellate District Court of Appeal courthouse in Santa Ana, California.*

In Santa Ana, a new courthouse for the Fourth Appellate District, which opened in July 2009, is accessible by public transportation and close to other government buildings at the Santa Ana Civic Center.

Its unusual features include a flexible design that will accommodate growth. Appropriate space within the building can easily be reconfigured into suites for three additional justices, says Clifford Ham, principal architect for the Office of Court Construction and Management. Yet the overall use of space—the building area per employee occupant—will be the most efficient of any Court of Appeal building in California.

In addition to innovative but proven construction features, the court building program increasingly is employing collaborative building methods.

The Governor and Legislature have authorized the Judicial Council to proceed with building a 490,000-square-foot courthouse in Long Beach that will be the first in the nation to utilize “performance-based infrastructure,” a technique involving public-private partnerships that has been used successfully in courthouse projects in Canada and elsewhere.

A consortium of firms from the private sector will design, finance, construct, operate, and maintain the Long Beach courthouse on behalf of the Administrative Office of the Courts. The state, which will own the site on which the proposed new courthouse will be constructed, will enter into a license agreement with the developer and will own the building at the end of the license period.

**The courthouse is the first to be designed for teleconferenced court proceedings.**

**Built of wood and stone, it will blend with its wooded site.**

**It’s also the first trial court that the AOC will have built from start to finish. A great effort was made to expedite the design, solicit bids for and award the construction contract, “and get it buttoned up by winter,” when work on the exterior would have to be halted for up to eight months, Mr. Roberts says. As a result, the court will be able to move into the building in the fall of 2009 instead of the spring of 2010.**

**Meanwhile, 33 miles away, renovation of the historic Quincy courthouse, also in Plumas County, has been completed, using an unusual “design assist” delivery method.**

**“We in essence gave the contractor a general plan of what the building should look like and performance specifications to bid on the project. The contractor was responsible for completing the design. We wanted to put as much as possible into the building, not the design process,” says Robert Uvalle, manager of design and construction for the Northern California regional office of the Office of Court Construction and Management.**

**The office created most of the architectural drawings, collaborating with the Plumas County courts and the contractor to decide how the new courthouse should look. The contractor created the construction documents—“the**



“We say what we want the building to accommodate, but we don’t tell them precisely how to get there,” explains Clifford Ham, principal architect for the AOC’s Office of Court Construction and Management.

The building must meet or exceed code requirements, and financial incentives to do the job right are built into the agreement. The AOC will pay an annual fee to the consortium that’s based partly on the building’s proper performance. For example, if a prisoner elevator must be taken out of service, and certain courtrooms can’t be used as a result, there’s a fee deduction for loss of both elevator use and courtroom use.

The city redevelopment agency also is part of the collaborative effort in Long Beach. It donated the new courthouse site and will contribute to the project financially in exchange for ownership of the smaller but more valuable site on which the current courthouse sits.

And the collaboration extends further. Between the two sites is a large court parking structure. The private consortium will renovate it and could profit from offering paid private parking but also would be required to provide free parking for jurors and employees of the court and county.

Other collaborative techniques are being used in Pittsburg, Santa Ana, and Fresno to deliver efficient, high-quality court buildings or court renovations on schedule and within budget.

practical side of how you make that vision come into being,” Mr. Uvalle says.

The result features restored mahogany beams that have been left exposed and are reflected in the bench, railing, windows, and wainscot. The Western Council of Construction Consumers has recognized the project with an Outstanding Achievement Award for design and construction in a public facility.

It was completed in the fall of 2008 within the \$650,000 budget.

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Because of its size and the opportunities it presents to create fine civic architecture in a manner that best serves the public, the California courthouse construction program “is one of the most important and also one of the most interesting facilities building programs in the country right now,” Mr. Willoughby says.

**68%** of courthouses have inadequate security

**41%** of courthouses escort defendants through public hallways

**25%** of courtrooms have no space to seat a jury



*The Portola-Loyalton Courthouse, under construction in Portola, California.*

# COURT CASE MANAGEMENT SYSTEM

The development of a statewide case management system for the nation's largest court—with 2,100 judicial officers and 9 million filings annually—is nearing completion. California's Court Case Management System will allow all of the state's trial courts to use a single computer application to manage all case types.

The new system will enhance the courts' ability to share case information among themselves and with the public. CCMS will also share information with the executive branch and the federal courts, and will connect justice, social service, and other agencies.

CCMS will provide many benefits but none more important than making information available at the moment it's needed to protect public safety.

"Imagine you're the cop on the street, responding to a restraining order violation," says Michael Planet, the court executive officer for the Superior Court of Ventura County, which has offered to be an early adopter of the system. "The cop can call up the order so there's no question what the order says."

An officer on patrol in Humboldt County will have access to a gun violation warrant from Imperial County. A judge deciding a custody matter in Riverside will be able to consider other civil or criminal cases involving family members in Riverside or, for that matter, Eureka or Merced.

The California courts were using more than 200 different types of case management systems when trial courts became the state's responsibility a decade ago. In several counties the systems were critically outmoded, and products offered by vendors did not meet the courts' requirements.

The California Judicial Council initiated the statewide case management system in 2002 to resolve the problems associated with overseeing multiple case management systems across the state. Early versions of CCMS are operating in Fresno, Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties. The final version is currently in development and will incorporate the best practices from the experience in those courts.

In addition to its capacity to link the courts to each other and the rest of the justice community, the system promises efficiencies within the courts.

The scheduling and tracking of court interpreters and reporters will be coordinated, for example. Judges will be better informed to hear their cases and, potentially, to reduce case backlogs. Case participants will have Internet access to their case files. And the public will be able to pay a traffic citation anywhere in the state. Families will be able to start adopting a child in one county and continue the process in another if necessary. Court records will be viewable at courthouse kiosks, which will eliminate having to wait in line for basic court information.

CCMS will also permit e-filing, to allow case initiation without visiting the courthouse at all.

"We want to get people online instead of in line," says Celeste Schwartz, chief information officer at the Superior Court of San Diego County, which already offers online payment of traffic tickets and some other fines.



## CASE MANAGEMENT WILL MAKE DATA AND STATISTICS MORE READILY AVAILABLE

The Court Case Management System will bring much-needed improvements to the state's criminal record keeping, says Sheila Calabro, regional administrative director for the Southern Regional Office of the Administrative Office of the Courts.

The state currently lacks disposition data for two-thirds of the arrests reported to its Department of Justice. The case management system will reduce these numbers by expediting the pairing of law enforcement and court records.

Also, for the first time, the system's statistical reporting capability will allow the courts, the Legislature, and the public to see how many cases are pending statewide on any day. "A grocery store knows how many cans of beans are on its shelves, in the storeroom, and in the warehouse," Ms. Calabro says. "Courts should have the same technical capacity as a grocery store."

## SAN JOAQUIN MAKES A QUICK SWITCH

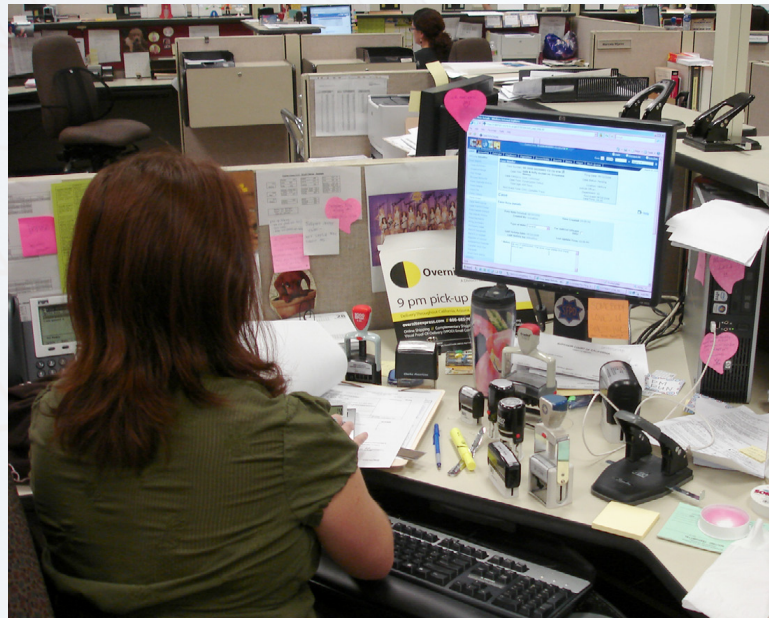
The Superior Court of San Joaquin County was heading for a crisis. The staff member who had been maintaining the court's balky, homebuilt case management system was set to retire. The court found a solution with CCMS and, after a six-month implementation schedule, was able to cut over to the new system in the course of a weekend.

With little money to spend on configuring new software, the San Joaquin County court adopted the software configurations used at the Superior Court of Ventura County. The configurations contain business rules for hundreds of decisions, such as the manner in which cases will be assigned and courtrooms designated. The Ventura configurations made sense because the two courts are similar in size, staffing, and case processing, says Bea Gin, San Joaquin's deputy court executive officer.

The conversion required several cycles of testing and adjustment during the two-day process, but the new system went live "without a glitch," Ms. Gin reports.

The court has seen many benefits from its new system, including automatic tracking of cases in work queues and tracking of file folders.

The San Joaquin County court got its system up and running "in half the time and half the money that it cost us," says Michael Planet, Ventura's court executive officer. The San Joaquin experience showed that the Court Case Management System could be transferred from one court to another.



*A Superior Court of Ventura County employee uses the CCMS system at her workstation. The Ventura County court was one of the state's first adopters of CCMS.*

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# PHOENIX PROGRAM

To assist trial courts in moving from county stewardship to management by the judicial branch, a statewide technology initiative, called the Phoenix Program, was launched by the Administrative Office of the Courts.

When the state took over trial court funding in 1998, the need for uniform and consistent record keeping and reporting on financial and human resources matters became apparent. Effective statewide planning and budgeting would require accurate, transparent records. But the needed clarity was impossible to achieve, says Mike Roddy, executive officer for the Superior Court of San Diego County, because the various courts' record systems were "all over the board."

In some courts, the need for a statewide solution had become urgent for other reasons. They had relied on their counties for accounting, personnel, and other administrative services. After responsibility for the trial courts passed to the state, some counties refused to continue providing those services or asked for higher fees. Individual courts lacked the experience and resources to take over the job successfully.

Phoenix was launched to fill the gap. The Phoenix Financial System has been operating statewide since the summer of 2008. Full implementation of the Phoenix Human Resources System is expected in 2015, completing the transition to uniform financial management and human resources services in all courts.

Phoenix makes sense of court financial information—what's in the budget and how the money is being spent, says Mr. Roddy. For human resources, it will identify all of the positions, he says, "so that we can report to the Legislature and executive and the public how we are using the resources entrusted to us."

## PHOENIX PROGRAM



*As of July 2009, the Phoenix Financial System has been deployed to all 58 courts. The Human Resources System is fully functional in 6 courts and was launched in the San Bernardino County court in August 2009. Deployment of the HR System to the remaining 51 courts is expected to be completed by June 2015. (Source: Administrative Office of the Courts)*

The system increases the transparency of all the courts' business operations by standardizing accounting and other functions, providing uniform record keeping and record maintenance and enhancing the quality and consistency of data.

"Before, nobody knew what each area cost because people called it different things and accounting was all over the place," says Sandy Salyer, the assistant chief deputy court administrator in Kings County. Now, she says, "we're all on the same page."



## EARLY ADOPTER

The first court to adopt the Phoenix Financial System for its accounts payable was the Superior Court of Stanislaus County, which also was an early adopter of the Phoenix Human Resources System.

“We received news from the county that they were upgrading their payroll system, and they planned on charging us over \$1 million for this upgrade,” recalls Vivian Bowen, the court’s fiscal manager. Unable to afford that sum, or the county’s proposed charge for handling the court’s accounts payable, the court left the county system and, at first, used a generic business system that it bought off the shelf. The generic system hadn’t been designed for court operations, however, and when the opportunity arose, almost a decade ago, the Stanislaus County court jumped at the chance to adopt an early court accounting system that was being offered by the AOC.

“Accounts payable was available first,” says Ms. Bowen. Then “they just started rolling out modules” that grew in number and usefulness.

Later, when the AOC decided to investigate a statewide human resources payroll system, “we lobbied very hard to be part of the blueprinting of that system and then to be one of the first courts to go live,” says Jeanine Bean, the Stanislaus County court’s human resources director.

The Phoenix Human Resources System is tailored to the courts, Ms. Bean says. It can produce a list of equipment that must be collected when an employee terminates, or a team calendar that’s easily accessible by supervisors and staffs. The system also makes it much easier to generate reports or letters to employees, to track changes in time records, and to pull out employees’ emergency contact information.

## MORE CONTROL AND FASTER PROCESSING

When the superior court was part of Contra Costa County’s paper-based business system, “we had just a browser and read-only access to data,” recalls Lucy Fogarty, the chief financial officer for the Superior Court of Contra Costa County. Ms. Fogarty, who participated in developing the Phoenix Financial System and a recent upgrade, prefers the new system.

“We process our own transactions. If we have an invoice to pay, we don’t have to copy it and send it to someone [at the county level]. We process it ourselves.” And while limitations remain, Phoenix is constantly being revised to incorporate “some hard lessons learned.”

## BENEFITS FOR A SMALL COURT

“They’ve been sure it works for the small courts too,” says Sandy Salyer, the assistant chief deputy court administrator for the Superior Court of Kings County. Her court was among the first small courts to launch Phoenix.

Phoenix “makes it easier for accounting staff to do things correctly,” she says. “We have the responsibility to be accountable and don’t always have the expertise at the local level” because each court employee must wear many hats.

Phoenix also has allowed the Kings County court to purchase business supplies, software licenses, and equipment more cheaply under statewide contracts through the AOC, Ms. Salyer says.

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# JUDICIAL BRANCH WEB SITE REDESIGN

The Web is the face of the California courts to an increasing degree. This is true for the attorney who visits [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov) daily to explore the appellate opinions and download Judicial Council forms, as well as for the individual who occasionally turns to a trial court Web site to pay a traffic ticket or find information about jury service.

To ensure that the judicial branch Web communications system will meet the growing needs of the public and the courts, two major Web redesign projects are under way.

One is a complete redesign of all Web sites maintained by the Administrative Office of the Courts, including the California Courts Web site, the internal Serranus site that serves judicial officers and court professionals, and the education sites.

The second project involves developing site design templates that the trial courts can use when they decide to redesign their Web sites.

Within a standard design, individual trial courts will be able to add content and images reflecting their local

character. But color palettes, fonts, and other design features will be similar for both projects, so that users will come to know what an official, legitimate court site looks like. A recognizable visual identity for the judicial branch will help users find and navigate the sites. It will also streamline the flow of business and help prevent fraud.

“The more we can adapt and evolve our Web sites to meet our customer needs online, the more resources we’ll have at the court to serve those who have a genuine need to come to the court to conduct business,” says Jim Brighton, bureau chief of Planning, Research, Public Information, and Court Services for the Superior Court of Alameda County.

The trial court redesign initiative was based on a half-year-long study of Web traffic by 10 trial courts—in Alameda, Fresno, Humboldt, Orange, Riverside, San Francisco, San Joaquin, San Mateo, Tehama, and Ventura Counties—as well as 1,100 responses to a survey of court Web site users in those counties.

## Redesigned California Courts Web site, available spring 2010 ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov))

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**CALIFORNIA COURTS**  
THE JUDICIAL BRANCH OF CALIFORNIA

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## Welcome to the California Judicial Branch

Committed to providing fair and equal access to justice for all Californians.



Contra Costa County Courthouse, 1932

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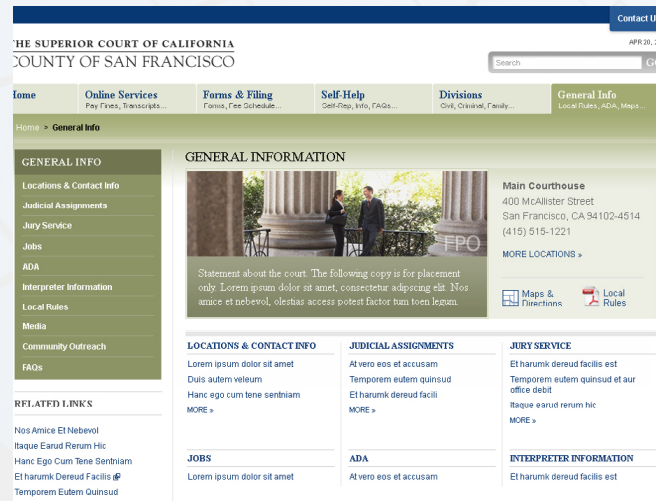
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[Elkins Family Law Task Force](#)



# Current Web sites of trial courts participating in the Web traffic study



## New trial court Web site templates



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# JUDICIAL BRANCH INTEGRITY, ACCOUNTABILITY, AND RESPONSIVENESS TO THE PUBLIC

*Support for the courts and compliance with their orders depend to a large degree on several broad factors: The courts must perform efficiently and reach fair results. And litigants must perceive that justice is being done.*

*The Judicial Council and Administrative Office of the Courts sponsored a number of initiatives in 2008–2009 to achieve those goals. Two themes pervade them all: demystification of the judicial process so that people understand that it is working for them, and collaboration—both among courts and between courts and their communities—to crack problems that defy successful resolution through traditional adjudication.*

*Judge Stephen V. Manley of the Superior Court of Santa Clara County, who has been a leader of the collaborative court movement, put it this way: “If you bring everyone together, you can create better solutions and better outcomes for people. . . . If you knock the barriers down and everybody works together, you get somewhere.”*

*That proved to be the case when a statewide judicial strike force was assembled to deal with a crushing backlog of cases in Riverside County. It also has been a working premise of a multifaceted statewide procedural fairness initiative and the Commission for Impartial Courts, as well as the five task forces and commissions assembled by the AOC’s Center for Families, Children & the Courts.*

*The studies and reports of some of these projects have been completed, and the implementation of recommendations is under way, affecting virtually every aspect of the courts’ business.*



- 
- Procedural Fairness Initiative
  - Commission for Impartial Courts
  - Riverside and Los Angeles Judicial Strike Forces
  - California Blue Ribbon Commission on Children in Foster Care
  - Domestic Violence Practice and Procedure Task Force
  - Juvenile Delinquency Court Assessment
  - Task Force for Criminal Justice Collaboration on Mental Health Issues
  - Elkins Family Law Task Force

# PROCEDURAL FAIRNESS INITIATIVE

A branchwide initiative on procedural fairness in the California courts grew out of surveys and focus groups conducted by the Judicial Council to assess public trust and confidence in the courts, as well as a wide body of research showing that trust, confidence, and compliance with court orders are linked more closely with a perception that court users have been treated fairly than with favorable case outcomes.

The key elements of procedural fairness are being woven into all of the work of California's judicial branch and are emphasized in many of the innovative state and local programs and projects highlighted in this publication. These elements are

**Respect:** Treating court users politely and with dignity; helping them understand how things work and what they must do.

**Voice:** Listening to litigants and permitting them to tell their side of the story.

**Neutrality:** Treating court users fairly and equally; applying legal principles consistently, placing an emphasis on facts, and offering clear explanations of decisions.

**Trust:** Demonstrating to litigants that both sides have been heard and that a sincere desire exists to help people solve their problems.

Procedural fairness relates to how long people must wait at counters and the way they're treated once they

get to the front of the line. It relates to attitudes they perceive in the courtroom, as well as to whether they leave court knowing what's expected of them.

"Far too many litigants wind up being confused rather than leaving a hearing with a clear understanding as to what happened and what's expected of them," says Suzanne Morlock, a member of the Elkins Family Law Task Force and a former family court facilitator in Tuolumne County.

The Judicial Council's public trust and confidence studies showed that litigants and defendants in family, juvenile, and traffic cases perceive court procedures to be less fair than do litigants in other kinds of cases. In response, programs have been developed with a focus on the ways in which these high-volume courts are conducted. Some traffic courts have developed visual aids that explain fines and fees to court users. Others provide a video presentation before the court proceedings to tell litigants what to expect in the courtroom and how to prepare themselves.

In March 2009, bench officers from across California attended a Traffic Adjudication Institute in Long Beach, sponsored by the Administrative Office of the Courts' Education Division/Center for Judicial Education and Research. The instructors included Commissioner Michele Flurer of the Superior Court of Los Angeles County, who presides in San Pedro over traffic court, small claims, and other courts where most litigants are self-represented.

***"We've got fast food. We've got fast law. We have to learn to do it in a positive manner so that the public has a positive experience. These are things we don't learn in law school."***

*—Michele Flurer, Commissioner, Superior Court of Los Angeles County  
(who learned that lesson as a teenage McDonald's trainee)*





*Court users line up at the Orange County court's traffic division to pay traffic tickets and schedule court appearances. The court's Central Justice Center handles approximately 136,000 traffic cases a year.*

"Be quick but don't hurry," Commissioner Flurer instructed the bench officers. "That's our biggest challenge because we have such high-volume calendars and passionate people, but not much time."

She has developed a number of effective techniques. For example, she tells certain litigants, "You have a lot to say. I want to hear it," and then she explains that there will be another opportunity at the end of the calendar. When their cases come up again, she reports, "they're more composed and very happy that I'm giving them that special attention." Other waiting litigants are happy, too, because they haven't been delayed.

Elsewhere in Los Angeles, Judge Mark Juhas of the superior court conducts a mandatory procedural fairness education program for every new bench officer in the county. Judge Juhas has videotaped judges and commissioners conducting mock domestic violence and general family law hearings to help them be more aware of what they do and the perception it may

create. "It's easy for us to fall into legal lingo because it's a shorthand way of saying a whole lot. No matter how hard you try, you kind of forget," he says. "It's interesting to see yourself do that. You have to redouble your efforts."

Videotaping and feedback also were employed at a procedural fairness educational program conducted at the request of the bench in Santa Clara County. Several judges volunteered to be videotaped while performing their normal duties. The program featured instruction in matters such as the "characteristics of good listening behavior."

The AOC is developing a Web-based Knowledge Center on procedural fairness, with the assistance of an editorial board that includes bench officers, court staff, and academic experts. The Knowledge Center will offer effective tools for California's judicial officers and court staff and will highlight innovative programs already established in the courts.

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# COMMISSION FOR IMPARTIAL COURTS

***“It has taken us over 200 years to  
develop this system, but it can  
be gone in an instant.”***

*—Ming W. Chin, Associate Justice of the California  
Supreme Court and Chair of the Commission  
for Impartial Courts*



With millions of dollars being poured into negative judicial election campaigns by political parties and special interests, California Chief Justice Ronald M. George appointed the Commission for Impartial Courts (CIC) in September 2007.

“The focus is not on saving judges from defeat at the polls but on preserving and enhancing the administration of justice and the rule of law,” the Chief Justice says.

One of only a few such commissions in the United States, the California commission is charged with recommending actions to the Judicial Council to safeguard the quality, impartiality, and accountability of the state judiciary for the benefit of all its citizens.

The commission’s four task forces looked into the financing of judicial campaigns, campaign conduct, judicial selection and retention, and public information and education.

The Judicial Council is scheduled to review the commission’s report in December 2009 and to direct further action at that time.





## CIC TASK FORCES FOCUS ON JUDICIAL CAMPAIGNS AND OUTREACH EFFORTS TO ENSURE IMPARTIALITY AND PROMOTE PUBLIC TRUST

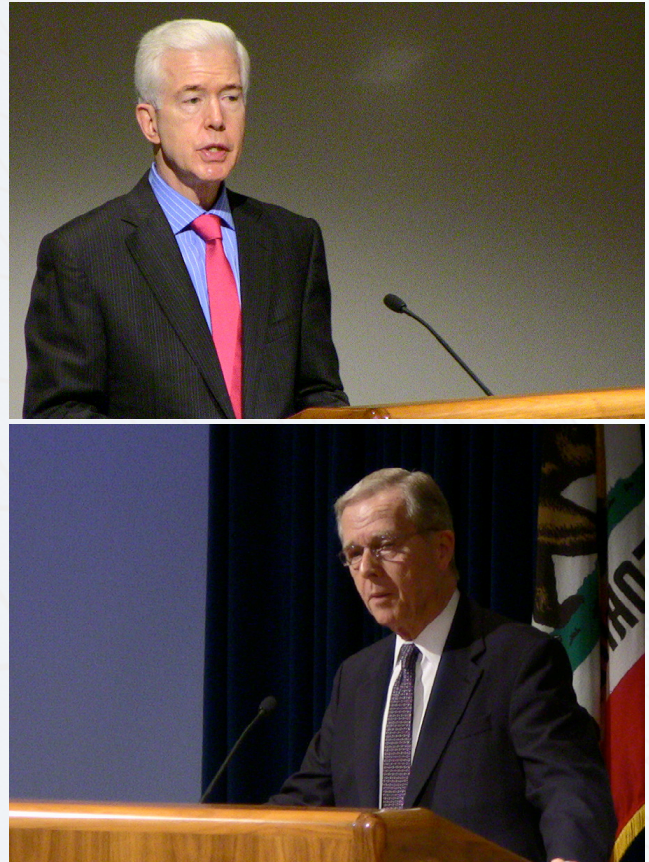
Each of the four task forces of the Commission for Impartial Courts focused on a different area.

The Task Force on Judicial Campaign Finance looked at ways to better regulate contributions to, financing of, and spending by judicial candidate campaigns and to improve or better regulate campaign advertising.

The Task Force on Judicial Candidate Campaign Conduct was charged with recommending methods to promote ethical and professional conduct by candidates for judicial office by proposing changes in statute and in canons of judicial ethics, by instituting improved mechanisms for enforcing the canons, and by encouraging judicial candidates to comply with voluntary codes of conduct.

The Task Force on Judicial Selection and Retention looked at how to improve the way judges are selected and retained and issues involving the terms of judicial office and timing of judicial elections. Recommendations might also include making information about the judicial appointment process and about the individuals who screen judicial candidates more accessible to the public.

The Task Force on Public Information and Education examined methods to improve public information and education concerning the judiciary during judicial election campaigns and at other times. Proposals may include ways to improve voter access to accurate and unbiased information about the qualifications of judicial candidates and to improve public understanding of the role and decisionmaking processes of the judiciary.



*Former Governors Gray Davis and Pete Wilson address the Commission for Impartial Courts at a public forum held in July 2008 on the political pressures that threaten the fairness and impartiality of the judicial branch and equal access to justice.*

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# RIVERSIDE AND LOS ANGELES JUDICIAL STRIKE FORCES

As the population of Riverside County exploded in the last part of the 20th century and the early part of the 21st, criminal case filings soared. But the size of the county judiciary remained about the same. As a result, although Riverside County judges were hearing criminal cases virtually full time, a backlog of criminal cases began building. Eventually, it reached massive proportions.

In the spring of 2007, more than 1,000 felonies older than a year were pending on the Hall of Justice master calendar, one of three master calendars in the county. Only one department of the Superior Court of Riverside County was regularly hearing civil trials. The county bar, government agencies, and some local judges expressed concern that the county's residents no longer had meaningful access to the civil courts.

If the problem was unusual, the solution was unprecedented.

Chief Justice Ronald M. George assembled a strike force to address the Riverside backlog. He called on 22 counties to release some of California's most experienced criminal law judges for assignment to Riverside County and used his constitutional authority to send in a pool of veteran judges to tackle felony cases. In all, 39 active and judges served on the Riverside strike force. Judges typically were assigned to the court in two-month increments. Many served two or more consecutive assignments, and several served for more than a year.

In short order, non-courtroom facilities were converted for trials. Several Riverside County judges volunteered to move to outlying court locations to make room for the strike force at Riverside's Hall of Justice. Staff and interpreters were brought in. Nine hundred additional jurors were summoned. The visiting judges were matched to the old cases. And the backlog began to crack.

Between August 2007 and June 2008, the strike force heard 125 criminal cases that had been awaiting trial for longer than two years. When time permitted, strike force judges pitched in to hear newer cases as well. They served a total of 1,592 days and heard 805 matters, including capital cases.

"We gave [the Riverside judges] some breathing space that they hadn't had in a very long time," says Judge David S. Wesley of the Superior Court of Los Angeles County, who served as the supervising master calendar judge for the strike force. "We took the knowledge from all over the state, things that had worked in different parts of the state, [and] we adapted them to Riverside."

These innovative best practices included a joint prosecution-defense exhibit list that had been developed by retired Judge J. Richard Couzens in his home court, the Superior Court of Placer County, as well as standardized juror questionnaires, user-friendly verdict forms, and prescreening of jurors to identify those who would be able to serve.

The strike force also limited trial continuances, a problem that had contributed to the backlog. Cases that weren't ready for trial "just magically came together and we were able to complete the trial," recalls Judge Couzens, who oversaw the day-to-day operations.

Assistance was not limited to criminal cases. The strike force relieved the pressure that had forced the Riverside bench to focus exclusively on criminal matters, and an additional four judges were appointed to hear civil cases exclusively. As a result the court was able to resolve 817 civil cases, including 189 that had been pending for at least four and a half years.

But the strike force was just part of the solution for Riverside County.

Justice Richard Huffman of the Court of Appeal, Fourth Appellate District, chair of the Judicial





Many judges and AOC staff contributed to the efforts of the Riverside strike force. Back (left to right): Mr. William C. Vickrey, Mr. Brad Campbell, Mr. Scott Burritt, Ms. Marcia M. Taylor, Hon. Erik M. Kaiser (Ret.), Hon. James L. Quaschnick (Ret.), Hon. Richard E. Spann (Ret.), Hon. Rudolph (Barry) Loncke (Ret.), Hon. William A. McKinstry (Ret.), Hon. Michael E. Barton, Ms. Sheila Calabro, Hon. John Stephen Graham (Ret.), Mr. Ronald G. Overholt, Hon. Edward (Ned) F. Lee, Hon. Vernon K. Nakahara, Hon. Mark R. Forcum, Hon. David F. De Alba, Mr. Fred Miller, Hon. Charles F. Haines, Hon. Teri L. Jackson, Hon. John V. (Richard) Stroud (Ret.), and Mr. John Greacen. Front (left to right): Hon. David E. Power, Hon. Charles W. Hayden, Hon. Gregg L. Prickett, Hon. Richard D. Huffman, Hon. Ronald M. George, Hon. J. Richard Couzens, Hon. Eddie C. Sturgeon, and Hon. Thomas C. Hasting (Ret.).

Council's Executive and Planning Committee, convened representatives of the local court, bar, and criminal justice system to devise procedures for curbing future backlogs. With the help of the Administrative Office of the Courts, the group designed a new case management system that permits better tracking and more effective handling of caseloads. The new system was implemented in March 2008. Collaboration continued through the year.

The Riverside County project was a monumental effort that Justice Huffman sums up with this simple sentence: "It was the branch coming together for the assistance of one of its members."

By rising to meet the challenge in Riverside, the judicial branch also set the stage for assisting other local courts that have similar needs.

## LOS ANGELES JUDGES PITCH IN TO CLEAR TRAFFIC CASES

**A**fter budget cuts in 2003 forced the closing of a traffic arraignment court in Los Angeles County, where close to 2 million traffic citations are issued each year, traffic cases began backing up. By 2008, the backlog had reached 30,000. Presiding Judge Stephen Czuleger acted decisively.

He invited his colleagues to do extra duty in traffic court. For one week, senior civil judges handled traffic arraignments. They cleared an extra 500 cases each day. Judge Czuleger himself handled traffic ticket trials.

When the need arises, any judge should be available to do the court's work, whatever it may be, Judge Czuleger says. If people become dissatisfied because their cases aren't being heard, he says, "that raises some real issues for community support of the court."

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# CALIFORNIA BLUE RIBBON COMMISSION ON CHILDREN IN FOSTER CARE



In California nearly 75,000 children remain in foster care for more than two years. Research shows that people who grow up in foster care face heightened risks of unemployment, homelessness, mental illness,

and involvement with the criminal justice system.

To alter this bleak picture, Chief Justice Ronald M. George and the Judicial Council created the California Blue Ribbon Commission on Children in Foster Care. Chaired by Associate Justice Carlos R. Moreno, the commission includes a broad representation of stakeholders—judges, legislators, child welfare administrators, foster youth, caregivers, philanthropists, tribal leaders, and advocates for children and parents.

***“California is a leader. While other states have set up similar commissions or task forces, none has been as broad-based in composition, comprehensive in scope, or as high profile. Moreover, none has the potential to influence as many children.”***

*—Carol Emig, Executive Director of the Pew Commission on Children in Foster Care*

The commission completed its study in 2008. It documented a severely underresourced system in which children and families often were not afforded meaningful participation in court proceedings that determined where and with whom children would live.

In August 2008, the commission submitted 79 recommendations to the Judicial Council, which accepted them all. The council directed the Administrative Office of the Courts to start implementing 26 that are entirely within the purview of the courts. Work has begun on measures that can be accomplished without

significant additional resources. However, full implementation of all of the commission’s recommendations will require sustained effort by all branches of government to dedicate sufficient funds to these objectives.

One of the 26 recommendations being implemented by the judicial branch reflects an overarching goal: that “all participants leave court hearings with a clear understanding of what happened, why decisions were made, and, if appropriate, what actions they need to take.” Other recommendations include a judicial caseload study focused on the juvenile dependency courts, addressing the use of case managers to support judges in meeting their workloads; an expedited process for juvenile dependency appeals; mandatory appointment of independent counsel for all children in juvenile dependency appeals; and the scheduling of court hearings at times that do not conflict with school or other requirements of a family’s case plan.

A 2008 federal law allows states to opt into providing foster care funding to age 21. At the commission’s behest, the Judicial Council of California is cosponsoring a pending bill to do that.

The council also adopted what the commission calls a “linchpin recommendation”—the creation of local commissions, cochaired by judges and heads of county child welfare agencies.

In December 2008, 50 counties sent more than 400 representatives of their courts, child welfare agencies,



***“During my entire time on the commission, the only thing I knew needed to be part of our recommendations was the role of the youth voice, not just saying ‘hello’ but meaningful participation.”***

*—Legislative Aide Anthony Pico, a former foster child and member of the California Blue Ribbon Commission on Children in Foster Care*

and communities to San Francisco for a one-day summit to start planning their local bodies. Many of those county teams have continued to meet back home and are collaborating to implement the commission’s recommendations.

Innovative county programs include a “college fair” for foster youth in Orange County and a curriculum on the court process for foster parents and caregivers in Solano County. In San Luis Obispo County, the local commission collaborated in designing and decorating a children’s interview room at juvenile court. The presiding juvenile court judge gave up her chambers to make space for it.

Chief Justice George has extended the commission’s term to 2012 to ensure implementation of the sweeping reforms it has recommended for dependency courts and the foster care system, saying that despite fiscal constraints, “we cannot let down California’s most vulnerable children and families. . . . We must honor our obligation to these children.”

“The ultimate costs, economic and moral, to the court and to society if we do not reform the child welfare system are profound and tragic,” Justice Moreno says.

## ***I Am Numb to It All***

*Why can't you understand  
My thought, My feelings  
Why can't I do the same  
I don't know who I've become anymore  
You call my name  
I don't look up  
I am hardened to the core  
The more I drift, the less it hurts  
I've gone numb to the pain  
Something that can never be broken*

Amber, age 14

*“I have been in foster care since I was two.  
I have lived in 7 homes.”*

*From Pictures and Stories from My World:  
A Collection of Poetry by Youth and Elders in  
California’s Court System (2008), Administrative  
Office of the Courts, Center for Families,  
Children & the Courts*



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# DOMESTIC VIOLENCE PRACTICE AND PROCEDURE TASK FORCE

*“We do not want the task force report to become just another bench book. Our job is to actively support the trial courts in their efforts to implement the guidelines adopted by the Judicial Council. In recognition of the violence and lethality of these cases, we are working to ensure that judges have prompt and accurate case information to guide their decisions, that they play a greater role in firearms relinquishment, and that they receive adequate education about domestic violence.”*

*—Laurence Donald Kay, retired Presiding Justice of the Court of Appeal, First Appellate District, and Chair of the Domestic Violence Practice and Procedure Task Force*

Since the California Judicial Council accepted the final report of the Domestic Violence Practice and Procedure Task Force in 2008, the focus has turned to converting its far-reaching list of proposals into systemic reforms. Chief Justice Ronald M. George has extended the term of the task force until 2010 to implement the recommendations.

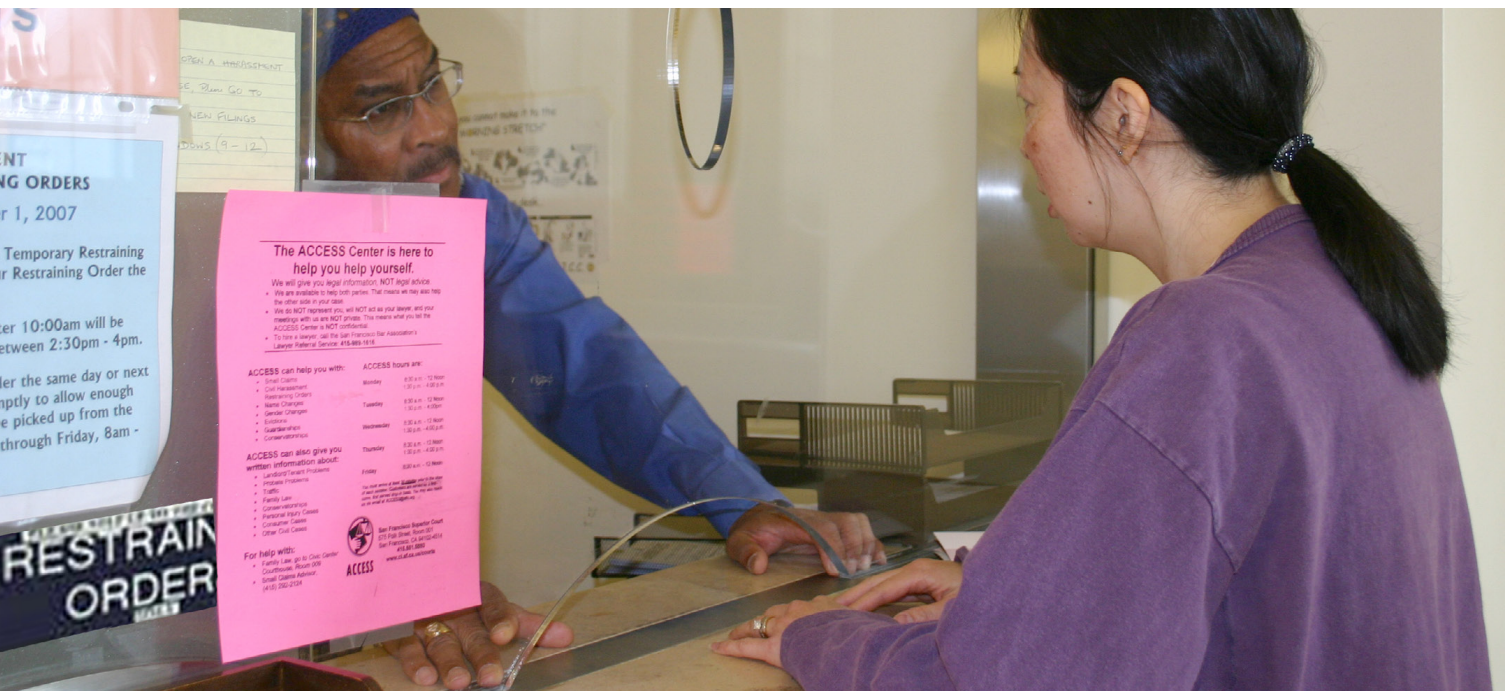
He appointed the task force in 2005 to recommend improvements in the way courts handle cases involving domestic violence allegations and, specifically, to review the court-related recommendations contained in a report to the state Attorney General from a Task

Force on Local Criminal Justice Response to Domestic Violence. That report found wide gaps in the enforcement of California’s domestic violence laws, including laws designed to keep firearms out of the hands of domestic violence offenders.

Working for three years, the Judicial Council’s task force proposed 139 guidelines and practices, which now are being implemented with large and small measures.

“There are things one can do using very few resources to reap a large return,” notes Judge Jerilyn Borack

*A clerk provides information to a court user. Counter clerks may be the first court representatives that victims of domestic violence encounter, so they need to have an understanding of both the law and procedure involved in these cases and the dynamics of domestic violence.*





of the Superior Court of Sacramento County, a task force member.

Creating a Web site for courts to post materials they find helpful is one of the ideas that surfaced when court teams attended regional meetings in Sacramento and Irvine to discuss methods for courts to monitor the relinquishment of firearms in criminal domestic violence cases.

The teams also discussed a proposed rule of court that would provide direction to judges in obtaining information on firearm possession and ensuring compliance with relinquishment orders. It's one of two proposed rules relating to the work of the task force that the Judicial Council has circulated for comment. The second proposed rule addresses judicial education.

Other steps have been taken to implement task force recommendations:

- Legislation was enacted prohibiting the summary denial of a “jurisdictionally adequate” application for

a temporary restraining order under the Domestic Violence Prevention Act.

- Task force recommendations and practices have been incorporated into the work of the Center for Families, Children & the Courts' Violence Against Women Education Project with the help of the Administrative Office of the Courts' Education Division/Center for Judicial Education and Research. Among its activities, the project will provide the courts with information, technical assistance, educational materials, and programs on their role in responding to cases involving domestic violence, sexual assault, stalking, teen dating violence, and elder abuse.
- The task force is developing a curriculum to brief presiding judges and court executive officers on best practices in domestic violence cases. California was selected as a pilot site for this program by the National Council of Juvenile and Family Court Judges.

## ONLINE REGISTRY WILL PROVIDE QUICK ACCESS TO RESTRAINING AND PROTECTIVE ORDERS

Among the key proposals of the Domestic Violence Practice and Procedure Task Force is one designed to improve the processing of restraining and protective orders. The task force has recommended that local courts participate in a statewide Protective Order Registry when it goes online in 2010.

The registry will include all types of restraining and protective orders that the California courts may issue—juvenile, elder abuse, criminal, civil, and workplace violence, in addition to domestic violence. It will enable courts within a county to review each other's information and to share it with other counties, helping reduce the number of conflicting orders that make it hard for law enforcement officers to do their jobs effectively.

The online registry will show document images, enabling a court or police officer to determine what a judge has mandated quickly and precisely, with all the terms and conditions. To improve safety for both the public and law enforcement, data from the registry also will be added to the California Restraining and Protective Order System, a central database that's widely used by law enforcement to search for active orders.

“Courts alone cannot solve the problem of family violence—but they truly can make a difference,” Chief Justice Ronald M. George says.

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# JUVENILE DELINQUENCY COURT ASSESSMENT

The Center for Families, Children & the Courts in 2008 issued an assessment of juvenile delinquency courts that drew on the experiences of court users, judicial officers, court administrators, prosecutors, defense attorneys, and probation officers. The study included surveys and interviews of justice system professionals and a total of 15 focus groups comprising youth on probation, their parents or guardians, juvenile crime victims, and other community members in six counties—Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou.

“It was a breakthrough piece of research and publication,” says Judge Kurt E. Kumli of the Superior Court of Santa Clara County, a member of the working group. “It was done about as comprehensively as it could be done, given the diversity and immensity of the state.”

***“Do we want to be known more as a feeder to the criminal justice system, or do we want to be a facilitator of getting that kid off to a different path and allowing him or her to be a productive member of the community?”***

*—Brian John Back, Judge of the Superior Court of Ventura County and Chair of the Juvenile Delinquency Court Assessment Working Group*

Assessments by court users were especially revealing. They voiced a need for better communication with professionals, greater participation in court proceedings, more individualized case processing, and more consistent follow-through. Court users said they didn’t understand what was going on in court, and they wanted an opportunity to speak and ask questions. They wanted more consideration to be given to their personal and work commitments when cases were being scheduled, as well as fewer continuances and shorter waiting times. They also asked for counseling, substance-abuse treatment, and other preventive and rehabilitative programs.

The focus groups brought up the need for improved advocacy for offenders and victims, as well as enforcement of their rights. In addition, they wanted to be able to see that problems were getting resolved for the offender, victim, and community.

The findings reflect a perception that the juvenile justice system sets youth up to fail. But they also reflect a widespread view that it can improve with better communication among the professional and nonprofessional stakeholders.

“It’s extremely difficult to make positive change without collaboration, and that’s what this is about. Without all the perspectives, you put up obstacles against even the best options,” says Rick Lewkowitz, a supervising deputy district attorney in Sacramento County and working group member.

The lessons were “obvious and simple, yet profound,” says another member of the working group, Fresno County Juvenile Probation Division Director Philip F. Kader. In his home county, Mr. Kader says, the assessment “made us more sensitive to the needs of the individuals involved in the process but at the same time made us more efficient by, for example, reducing the number of continuances. Who wouldn’t want to do that?”

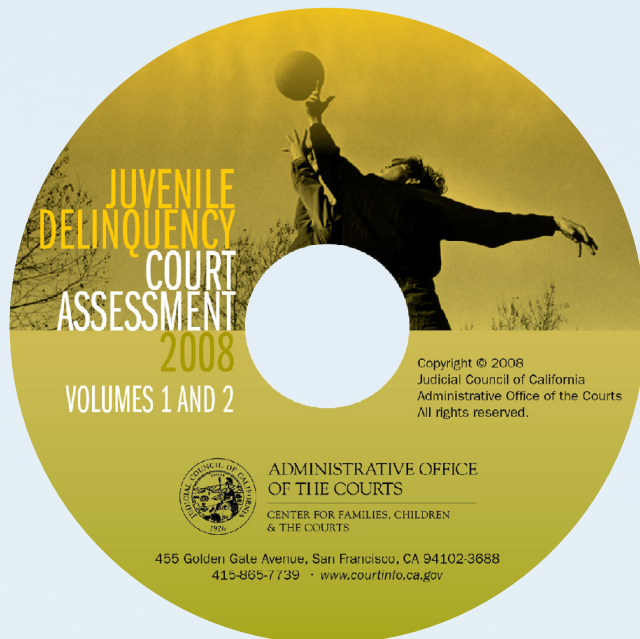
The assessment also pointed to a need for structural reforms, says working group member Patricia Lee, managing attorney for the juvenile division of the San



Francisco Public Defender's Office. Among them: ending the practice in many counties of rotating judges, prosecutors, and defenders in and out of the juvenile court system before they develop expertise.

Recommendations that grew out of the assessment are being implemented in several ways:

- An effort soon will be launched in four courts to craft a strategic plan for change in order to improve the experience and comprehension of court users. Its impact will be studied, and successful models will be offered for replication. It may include ideas such as increasing the length of hearings and employing simplified but accurate language in court.
- Another effort will be launched in three jurisdictions to pilot improved delinquency case flow and calendaring practices. The best practices will be offered statewide.
- Ways of measuring juvenile delinquency court performance are being developed, to help determine whether the courts are successfully fulfilling their role in the justice system.
- To enable courts to better deal with competency issues in juvenile cases, legislation or rule changes are being considered.



*The Juvenile Delinquency Court Assessment is the judiciary's first comprehensive research study of how California's superior courts handle delinquency matters.*

Shorter-term projects also are in the works:

- Material that's set for completion in the fall of 2009 will aid self-help center staffs in assisting victims.
- A delinquency court orientation video is scheduled for release in early 2010. It will be available to people waiting in line and in courthouse lobbies before they must appear at hearings.

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# TASK FORCE FOR CRIMINAL JUSTICE COLLABORATION ON MENTAL HEALTH ISSUES

Up to 20 percent of the people incarcerated in California are mentally ill, according to the California Council on Mentally Ill Offenders. Typically, they offend again upon release from jail or prison and then return to court because their treatment needs have not been met.

To break the cycle, Chief Justice Ronald M. George created the Task Force for Criminal Justice Collaboration on Mental Health Issues in 2007. It was initiated with a grant from the Council of State Governments as part of a national project to improve responses to mentally ill people in the criminal justice system. The California task force, chaired by Justice Brad R. Hill of the Court of Appeal, Fifth Appellate District, includes representatives of all three branches of government.

The mental health courts have special calendars for mentally ill offenders and collaborative programs to help keep them out of jail. Some of these courts are making strides toward reducing recidivism and are achieving other beneficial outcomes for individuals and their communities.

The MacArthur Foundation recently issued preliminary findings from a study of Santa Clara County's mental health court. The foundation reported a significant reduction in the number and length of jail stays for the court's clients when measured against a comparison group. Other studies of the pioneering Santa Clara program have found marked reductions in new arrests, time in custody, and probation and parole violations,

***“In this era of diminished resources, it is only through collaboration with our criminal justice, mental health, and community partners that we can truly hope to have an impact on our caseloads involving persons trapped in the cycle of arrest, court appearances, incarceration, rearrest, and yet more court appearances and even longer periods of incarceration, all at great personal and public expense.”***

*—Brad R. Hill, Justice of the Court of Appeal, Fifth Appellate District, and Chair of the Task Force for Criminal Justice Collaboration on Mental Health Issues*

Also represented are criminal justice and mental health partners, most of them experienced in local collaborative justice projects; individuals living with mental illness; and concerned family members.

The task force is considering a menu of options that link justice with treatment and is looking at both early intervention strategies and postadjudication strategies. It also is considering cost/benefit studies of the dozens of mental health courts already operating in California.

as well as a significant improvement in the mental health of the program's clients.

Anecdotal evidence from a newer program in Orange County also is heartening. More than 100 cases a day are processed there by a community court that has separate calendars for the mentally ill, the homeless, veterans, and others who may have a panoply of issues. A few steps from the courtroom, along the same corridor, are 25 ancillary services and agencies, including the California Department of Vocational





*Judge Wendy S. Lindley congratulates participants in dual diagnosis court. Judge Lindley started this diversion program in October 2002 as an alternative to incarcerating nonviolent drug offenders who may be facing mental health issues.*

Rehabilitation, the Legal Aid Society, and the federal Department of Veterans Affairs.

“The real purpose is to help the court clients but also so that law enforcement can bring people here instead of arresting them and then releasing them without their problems being solved,” says Judge Wendy Lindley, who presides in the community court and also chairs a task force subcommittee on co-occurring disorders.

Judge Lindley recalls that in November 2008, during the first week that her court was open, a law enforcement officer brought in a veteran who was able to meet on the spot with the Department of Veterans Affairs and a health care representative. Diagnosed with a mental illness, the man was linked to services immedi-

ately and was able to stay out of jail. The second week, Judge Lindley recalls, a man approached her in the corridor and said, “I heard you help veterans.” She was able to respond, “Yes, we do.” She promptly connected him with a full-time Department of Veterans Affairs employee, one of two who are assigned to her court.

The Task Force for Criminal Justice Collaboration on Mental Health Issues is building on such innovative local programs.

“We know that when people living with mental illness receive appropriate treatment, they are able to live productive and active lives within their communities,” says Dr. Stephen Mayberg, director of the California Department of Mental Health and a task force member.

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# ELKINS FAMILY LAW TASK FORCE

*“In light of the volume of cases faced by trial courts, we understand their efforts to streamline family law procedures. But family law litigants should not be subjected to second-class status or deprived of access to justice. . . . It is at least as important that courts employ fair proceedings when the stakes involve a judgment providing for custody in the best interest of a child and governing a parent’s future involvement in his or her child’s life, dividing all of a family’s assets, or determining levels of spousal and child support. The same judicial resources and safeguards should be committed to a family law trial as are committed to other civil proceedings.”*

—*Elkins v. Superior Court* (2007) 41 Cal.4th 1337

In 2007, the California Supreme Court stated in *Elkins v. Superior Court* that the goal of efficiency did not justify a trial court’s curtailment of the rights of family law litigants.

The Supreme Court’s opinion went on to recommend that the Judicial Council establish a broadly based task force to propose measures that will help trial courts achieve efficiency while ensuring access to justice in the family courts.

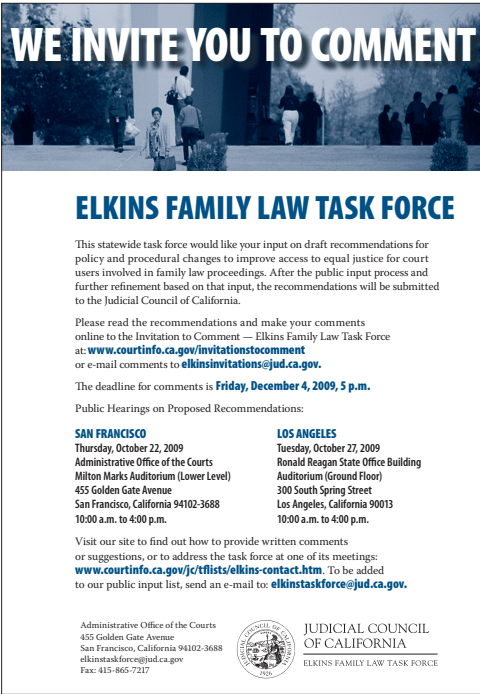
In response, the Elkins Family Law Task Force was established in 2008, with 38 members experienced in all aspects of family law.

“The task force is committed to addressing fundamental due process issues,” says Justice Laurie D. Zelon of the Court of Appeal, Second Appellate District, the task force chair. “Our focus has consistently been: How can we ensure that all of the people who come to our family courts will get what they need? We are deeply concerned about improving the policies, procedures, and processes that affect real people every day.”

Hundreds of comments from Californians have been elicited through regional meetings, public hearings, focus groups, an attorney survey, and other means. Members of the public who have stepped forward

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A poster titled "WE INVITE YOU TO COMMENT" for the Elkins Family Law Task Force. The poster features a photograph of a group of people standing in front of a building. Below the title, it states: "ELKINS FAMILY LAW TASK FORCE. This statewide task force would like your input on draft recommendations for policy and procedural changes to improve access to equal justice for court users involved in family law proceedings. After the public input process and further refinement based on that input, the recommendations will be submitted to the Judicial Council of California. Please read the recommendations and make your comments online to the Invitation to Comment — Elkins Family Law Task Force at: [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment) or e-mail comments to [elkinsinvitations@jud.ca.gov](mailto:elkinsinvitations@jud.ca.gov). The deadline for comments is Friday, December 4, 2009, 5 p.m. Public Hearings on Proposed Recommendations: SAN FRANCISCO Thursday, October 22, 2009 Administrative Office of the Courts Milton Marks Auditorium (Lower Level) 455 Golden Gate Avenue San Francisco, California 94102-3688 10:00 a.m. to 4:00 p.m. LOS ANGELES Tuesday, October 27, 2009 Ronald Reagan State Office Building Auditorium (Ground Floor) 300 South Spring Street Los Angeles, California 90013 10:00 a.m. to 4:00 p.m. Visit our site to find out how to provide written comments or suggestions, or to address the task force at one of its meetings: [www.courtinfo.ca.gov/jc/tflists/elkins-contact.htm](http://www.courtinfo.ca.gov/jc/tflists/elkins-contact.htm). To be added to our public input list, send an e-mail to [elkins-taskforce@jud.ca.gov](mailto:elkins-taskforce@jud.ca.gov). Administrative Office of the Courts 455 Golden Gate Avenue San Francisco, California 94102-3688 [elkins-taskforce@jud.ca.gov](mailto:elkins-taskforce@jud.ca.gov) Fax: 415-865-7217 JUDICIAL COUNCIL OF CALIFORNIA ELKINS FAMILY LAW TASK FORCE

at task force hearings have expressed views on matters including a need for improved child safety, court oversight, and judicial accountability.

The task force is synthesizing this input and developing recommendations that will be presented to the Judicial Council in the spring of 2010. Touching on all aspects of family law, the recommendations will call for the removal of barriers to the system and the addition of resources. Specific recommendations will be made for more effective and consistent rules, policies, and procedures in California’s family courts.



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## Acknowledgments

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